

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on Tuesday, November 16, 1999, at 7:00 p.m.

Present:

Vincent Villella,	Supervisor
James Lull,	Councilman
Mark Kwasna,	Councilman
Christopher Kent,	Councilman
Philip Cardinale,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
Adam Grossman, Esq.,	Town Attorney

Supervisor Villella called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited, led by Andrea Lohneiss.

Supervisor Villella: "Thank you, Andrea. Well, Chris isn't here-- do you want to read that proclamation? Okay, why don't we go down-- Nancy Binger, can you come up here, please? Mary, please."

Nancy Binger: "Ladies and gentlemen, good evening. Members of the Town Board. My name is Nancy Binger and I'm the President of the Board of Directors of Riverhead Community Awareness Program which is CAP. Mary's going to be honored tonight and I'd just like to tell you back in the early '80's, a group of concerned community members got together to address the drug abuse problem in the town. They incorporated and Mary was made the Director at that time.

Right from CAP infancy to the mature state that exists today, Mary has nurtured this organization as if it were one of her own children. Being a certified social worker, she understood the need for children to be able to seek help and talk to someone so that they may flourish. It was Mary that wrote grants that now enable CAP to provide free social workers in our schools.

She also realized that students needed the skills to prevent drug abuse so under Mary's direction the substance abuse prevention program administered to fourth and fifth graders in our schools has grown and now-- and with the help of over 60 student peer leaders and adult

presenters.

So on behalf of the Board of Directors, I'd like to take this opportunity to thank Mary from the bottom of our hearts for her dedication and your tireless energy from all the students of the school and all the community members as a whole. And on a personal note, thank you very much, Mary, and I hope our friendship continues. Thank you."

Supervisor Villella: "-- take a picture. You're the new Director, so I think you should (inaudible)."

Councilman Cardinale: "Vinny has asked me to present this proclamation."

(At this time, the proclamation was read by Councilman Cardinale)

Mary Lundberg: "I really accept this on behalf of the Board of Directors and the staff of Riverhead CAP, who have worked so hard in this program. And I want to thank Mr. Villella and all the members of the Town Board for the constant support which we have had these last two years. We have been able to expand and it's been with the help of the Town Board. I also wanted to thank our original Supervisor and Town Board members who were here when CAP started and Mr. Janoski and the Town Board then really-- I think they had a lot more confidence in me than I had in myself but it did work but we never could have done it without the continued support of all the people who work in the town. It was wonderful to be a part of a program in the town and have all the people who work for CAP really go out of their work to help (inaudible)."

I just would like to present the new Executive Director, Felicia Scocozza who I know is going to do a great job and continue."

Supervisor Villella: "(inaudible) Would they like to come up here for a group picture, the Directors, Board members? Please come up."

Kelly Tocci: "Good evening. My name is Kelly Tocci and I work at the Riverhead Recreation Department and I'm honored tonight be able to congratulate the winners of our annual Halloween poster contest and award their prizes. And right now I'll be calling them up and if they would come up when their name is called and they can receive their

poster and their prize and if you like maybe you could all stand up here and we can get everyone all up here together if anyone wants to take a picture. Okay.

So I'm going to start with our third place winners. For the 3rd grade, Jessica Roslik. Third place winner for the 4th grade was Nicole Strada. And our third place winner from the 5th grade, Tara McKenna. And third place winner for the 6th grade, John Curaba.

Now we're moving on to our second place winners. From the 3rd grade, George Prete. Second place for the 4th grade, Brittany Woodhull. Second place from the 5th grade, Kristin Bowles. Okay, it looks like Kristin is not here so I'll make sure she gets her prize tomorrow. And from the 6th grade, Kelly Talmage.

Okay, and now, moving on to our first place winners. From the 3rd grade, Dashawn McKay. Okay, looks like he didn't make it tonight. First place from the 4th grade, Candice Hughes. First place from the 5th grade, Tanya Gilliam. And first place from the 6th grade, Megan Euell.

And as you can all see, they did a wonderful job and I'd just like to congratulate them all. Thank you."

Supervisor Villella: "Great job, thank you. Okay. Are you ready, Barbara, for the Reports? Are you going to do it quick? We'll wait a while 'til they leave.

Could you please read the Reports?"

REPORTS:

Building Department	Monthly report for September and October, total monies collected: \$76,365.50
Receiver of Taxes	Utility collections report for October, total collected, \$292,311.56
Juvenile Aid Bureau	Monthly report for September
Open Bid Reports	Reconstruction of and improvements to Iron Pier Beach opened 11/4/99 -

	5 bids were received
Open Bid Reports	Street light and traffic signal maintenance repair parts, opened 11/10 - 8 bids were received
Open Bid Reports	Meat and Poultry opened 11/10 - 2 bids were received
Open Bid Reports	Food opened on 11/10 - 1 bid was received

Barbara Grattan: "Anybody interested in the results of these can come in my office and take a look."

Supervisor Villella: "Would you please read the Applications?"

APPLICATIONS:

Special Permit	Edward Meier, Route 58, Rhoda-west side of Warner's Plaza outdoor recreation miniature golf course, batting cages, etc.
Special Permit	Headriver LLC - north side of Route 58, northwest of Kroemer Avenue for a lumberyard

Barbara Grattan: "That concludes Applications."

Supervisor Villella: "Can you please read the Correspondence?"

CORRESPONDENCE:

Greater Calverton Civic Association	Regarding safety hazards (1) near the school property on the west side, foundation for a house with no protection around it and (2) south of the school, west of Twomey Avenue, a huge excavation belonging to the Byzantine Catholic Church
George Richmond	Regarding Maureen Fagan in Water Department - courteous manner

recently shown to him

Wading River Fire
District

Regarding site plan - Little
Flower storage building concerned
as to the type of materials that
will be stored in this building

Barbara Grattan: "That concludes Correspondence."

Supervisor Villella: "Thanks a lot, Barbara. Any Committee reports?"

Councilman Kent: "I have one from-- just last night, on behalf of the Town I attended the Rec Advisory Committee meeting and am happy to say that after three and a half hours of discussion, the Committee voted to approve the allocation of \$175,000 to plan and develop a roller rink and recreational inline skating facility at Stotsky Park. It's in the planning stages now and if anybody is interested or would like to provide any information to me, I'd be glad to sit down and discuss it with you."

In addition to the roller rink facility, they've also approved the allocation of \$60,000 to finally complete the childrens' playground at Stotsky Park and an additional \$25,000 to resurface and complete the tennis courts at the town park at Jamesport Beach.

Supervisor Villella: "Beautiful."

Councilman Kent: "Our next meeting is December 13th, at which time we're going to discuss the start of the planning for the town park. It's going to be developed at the Calverton property, the former Grumman site, and also to discuss allocating-- allocation of funds for bathroom facilities at various town beaches."

Supervisor Villella: "Sounds like your committee is doing a great job. Anybody else?"

Councilman Cardinale: "The Route 58 Committee is meeting Thursday at 7:00 p.m. We're going to review a draft report which will be-- I expect-- submitted to the Town Board next week."

Supervisor Villella: "Okay. Adam, do you have any meetings, code revision, anything? Do you want me to put you on the spot? Okay. Do that later, okay. We're going to go into the public

hearings and what we're going to do is the public hearing that was on September 21st regards the special permit petition from Bell Atlantic Mobile, we're going to continue with that. So whoever would like to speak on that. Surely."

Public Hearing re Bell Atlantic Mobile continued

Supervisor Villella: "Do you want to-- I want them to continue first-- that's all right, that's all right. Sit-- stay right there. No, no. That's fine. The old back door trick."

Alfred Alamato: "Mr. Supervisor and members of the Board, Alfred Alamato, (inaudible), 100 (inaudible) Blvd., Suite 511, Garden City, New York 11530 on behalf of New York SMSA Ltd. Partnership doing business as Bell Atlantic Mobile.

I submitted to the Town Clerk, I believe it was received this morning, the written supplemental response just to clarify some of the answers and presentation that we gave at the last hearing. I believe we've addressed all the questions very comprehensively and at this time I would like that to be marked into the record. And unless there's some questions by the Board, I have nothing further."

Supervisor Villella: "Barbara, you've got to make copies and hand them out tomorrow."

Alfred Alamato: "We sent in six copies. Do you have them?"

Barbara Grattan: "Have them."

Supervisor Villella: "I didn't-- no, we had Board meetings all day today. We didn't have a chance to look at it."

Barbara Grattan: "They're in your boxes."

Supervisor Villella: "Okay. We'll have a chance to look at them."

Adam Grossman: "There was just one other issue."

Supervisor Villella: "Go ahead, Adam."

Adam Grossman: "I just wanted to raise an issue that had come up at the last public hearing, that is the issue of the Planning Board

recommendation that this Town Board consider a type of the proposed antenna that is above the height that, in fact, is in the application that was received here in Town Hall. I just want to put into the public hearing record that it's my recommendation that, in fact, if the Board is going to consider granting an application that is beyond the height that is higher than what is being applied for, that I would recommend to the Board that the application be amended and if not an amendment of the application, certainly the SEQRA that has been done in connection with this application has to be revised to reflect the additional height. So I'm not sure what the Board is going-- whether they're going to be considering additional height of the tower but if they are that's the way in which I would suggest they proceed."

Alfred Alamato: "I'm just answering the question. Do you know-- the applicant's-- our application is for 62 feet. So, that is the height that we wish the pole to be voted on. We were just trying to keep in sync with the Planning resolution and so if you say we only can have this pole at 100 feet and you can tell us to build 100 foot pole, we will build a 100 foot pole. However, the application is for 62 feet approximately."

Supervisor Villella: "That's fine, then. Would anyone else like to speak on this public hearing? He's right behind you, Steve, he's getting-- "

Ephraim Horowitz: "Good evening, and thank you for the opportunity to address the Town Board. I'm Ephraim Horowitz. I'm a resident of Baiting Hollow and I spoke on this issue at the last meeting. Tonight I've come to give you a progress report on our community's sustained efforts to keep this application for a special permit and also to enumerate the valid and legal reasons why this tower should never be built.

We already know that visual pollution is a valid reason to turn down this permit and has been the sole reason for denial in dozens and dozens of towns. We know environmental concerns are enough of a reason to turn it down and so is widespread community opposition. Health and safety issues when combined with the other issues are also more than sufficient grounds to deny the permit. Taken together, there doesn't seem to be even a single reason why this tower should ever be approved.

So, let's ask ourselves what is the central idea requiring a special permit in the first place? The concept behind this process is

to allow the people of Riverhead and the Town Board to have a mechanism to stop a powerful industry from putting these things everywhere. If we don't stop them when they want to put one up in a scout camp, next to a state park, beside a bird sanctuary and against broad and deep popular local opposition and in a manner that lets them duck out of taxation, then none of these towers will ever be stopped. And the concept of a special permit will be nullified. And that's what Bell Atlantic wants. Regardless of what's best for Baiting Hollow or Riverhead they want to tell us what they're going to do and if we don't like it, well, they say just try and stop them. You'll get an education in who's powerful and who's not.

What did we decide to do? We decided to put together an equivalent presentation to the Board with an attorney representing our side and our own parade of experts to challenge the one-sided and false information that you've been presented with at the previous meeting.

Let's cut to the chase. Lawyers cost \$15,000 we found out, cell phone experts, \$5,000, photographic experts, \$10 to \$15,000, and that's just to prepare for this meeting tonight. The price to oppose Bell Atlantic in the way and manner they've presented their case is a minimum of \$30,000 and if the fight goes on, at least \$50,000. And we've learned. Even if we have the money in our pockets and did not need to raise those funds, a team of experts needs months to do their work. Not weeks as we've been granted between this meeting and the last one.

But let's talk about Bell Atlantic's numerous representations. Let's talk about their photographic evidence. We all know visual pollution has caused dozens of these towers to be voted down on Long Island and around the country. So what did Bell Atlantic do in their presentation last time? They managed to make a 100 foot tower on top of a 100 foot bluff disappear. And they say they proved it. How? The computer. Computer images. Not photographs, computer images. With photographs, you have an image indelibly written on silver nitrate crystals fixed in space and time. Computer data files that have been manipulated down to every pixel and every tone and color are not photographic evidence. In fact, they're not photographs at all. What's the correct word for a picture where every element has been changed and distorted? It's called a drawing. Their structure is as tall as a lighthouse and is being placed on top of a bluff. It'll disappear? How is that possible? How is it possible? The answer is it's not possible. The very premises is absurd.

Next. They told us they need the tower to provide service because they are a public utility and what if someone needs to call 911? I'm sorry but that's total garbage. They couldn't care less. They're not putting this in for Baiting Hollow. They're putting it in to sell space to other carriers. To make money. They don't care about the public welfare and representing that they do is laughable.

They told you to ignore health concerns. Why? If they told you the truth you'd drop your cell phone in the garbage and never approve one of these towers. It turns out not only did the cell industry write those federal regulations themselves, they've also prevented virtually all independent scientific analysis. That's why so little data is available in the United States. They've squashed it like Phillip Morris did the news about tobacco. This was reported on by ABC News last week as they tried to figure out the implication on cell phone use and brain cancer. ABC had to go to Europe to get the data because every laboratory in the United States does work for the cell industry and has a conflict of interest. No data. No health problems. Amazing what a 20 billion a year industry can accomplish.

Don't worry they say. These things are harmless. Harmless? If that's the case, why is the FCC meeting in Washington with the Audubon Society to discuss birdkills around these towers? Birdkills for godsakes and they want to put up this thing up right next to a bird sanctuary and a migratory flyover. If they told you the truth about this thing you would never approve it in this spot.

Now let's talk for a second about the Scouts. The Suffolk County Council is not in any dire financial straits that require the commercialization of this property. In fact, neither the scout troops nor the parents even know what these guys are up to. Why are we all here tonight? A couple of Scout executives are selling everybody out in a secret deal. Secret leases, secret negotiations, purposeful deceptions to the community that supports them. Who are these guys? They think their job is to develop the Baiting Hollow Scout Camp. Wait. Stop. Wrong. These guys are transient managers who don't even live here and will be on to other jobs in a year or two leaving us to clean up after them. They conduct their operations in secret and treat the local community with outright contempt.

As a former scout and scout leader myself, I find these gentlemen unrecognizable as scout leadership. We're all here tonight because the Boy Scouts have forgotten who they are. You, the Scout executives, I'm here to remind you you are not in the real estate

development business. You're not in the easy money business. You're in the business of Scouting. Forget your grandiose plans to become a part of the swirl of big business and just concentrate on Scouts. Everyone will be much better served."

(Applause)

Supervisor Villella: "We've got to hold up on that. I know you get a little excited and everything, but continue."

Ephraim Horowitz: "In conclusion, the people have spoken. We don't want this project here. The only people who favor it are Scout leaders who don't live here or pay taxes and Bell Atlantic who has chosen this site specifically to duck out of tax payments. Freeleaders, transient managers, Boy Scout leaders who don't deserve that good name and a huge monopoly. That's who is in favor. The people who live here, raise their children here, vote in the elections and pay the taxes do not want this tower here.

Thank you very much for your help."

Supervisor Villella: "Thank you."

Barbara Grattan: "Can I have that for the record?"

Supervisor Villella: "Next speaker."

Dr. Tracy Fein: "Okay, hello and good evening. My name is Dr. Tracy Fein and I am a physician in private practice as well as a Baiting Hollow homeowner. And I am also here to speak in opposition to the proposed microwave tower at Camp Baiting Hollow.

As a local citizen, I am outraged by the choice of this site for this project. Camp Baiting Hollow is part of a beautiful and unique ecosystem. The environmental impact of this project would be devastating. This facility will pollute a pristine visual landscape that has been previously unchanged in this century, if not longer. The Suffolk County Historical Society who also opposed this location have found references from 1926 describing this site as an idyllic camp, a boy's paradise where nothing taller than a tree with the exception of a flag (inaudible).

The site currently remains the same. How can anyone allow the construction of a 60 foot or even worse, 100 foot, pole to permanently

alter this landscape? It is an outrage that this has even proposed.

There are additional significant concerns about this site. This area is a wetland sanctuary and a locally important breeding grounds for migratory birds. The adjacent beach includes nesting areas for osprey and the endangered species, piping plover. Proper environmental studies about the impact on migrating birds and other local species need to be done. Appropriate visual impact studies were not provided at the first meeting since foliage clearly obscured the views that were being represented by Bell Atlantic.

In addition, as a practicing physician, I am deeply concerned about the health and safety of my neighbors and the children attending the Boy Scout Camp. Personally I am disturbed by the lack of scientific research in the United States about the biological effects of microwave transmissions. It is a basic truth of science that unless the right questions are asked, certain answers can never be found.

To illustrate this point, the recent TV expose of microwave radiation from cell phones, a major TV network such as ABC, was unable to find a firm in the United States to test cell phones for radiation emissions. All the companies contacted cited conflict of interest because they all work for or with this industry. The network had to go to Europe just to have the basic research performed. Perhaps this helps explain why there's limited relevant data about the health risk of cell site antennas.

However, no one disputes that the type of weak electromagnetic field that cell site antennas emit can cause changes in living things or biological effects. The truth is that no one knows whether current FCC standards for radio-frequency emission levels adequately protect humans and especially children. Numerous studies in the US and abroad support the conclusion that EMF exposure is associated with an increased risk of cancer and possibly other adverse health effects especially in children.

Think of the Phillip Morris tobacco company 20 years ago claiming that cigarette smoking is not a health risk. Since the jury is still out, we need to proceed with caution especially in regards to protecting the children of our community. Since children will be playing and camping in close proximity to this proposed site, I believe that the Town Board must insist that the Boy Scouts contact all parents of Suffolk County Scouts who have used or may attend this

Camp.

In addition, the Town of Riverhead should only consider this proposal in the context of a Master Plan for the entire town. What other sites with less environmental impact and less proximity to young children are available? It is ludicrous to assume that this is the only site to meet the needs of Bell Atlantic. The reality of this issue is that cell phones are a luxury not a necessity. Any negative impact on the local environment and any risk to the health and well-being of our citizens cannot be justified.

The Town of Riverhead must not allow this proposal to move forward. Thank you for your time."

Supervisor Villella: "Thank you."

Dr. Tracy Fein: "I have some visuals. May I present them, please?"

Supervisor Villella: "Yes. We also need a copy of that letter that you just-- can we have a copy of that, please? Thank you, Doctor."

Marilee Fuss: "Good evening. I have presently-- giving you some pictures of these towers that are within approximately one mile as the crow flies from this proposed site. We already have two. As you can see, there is full foliage on the trees and they are very, very visible. I'm Marilee Fuss and I-- "

Councilman Kent: "Excuse me. Can I just ask you a question? I'm sorry."

Marilee Fuss: "Absolutely."

Councilman Kent: "Do you know what the height of these towers are, by any chance?"

Marilee Fuss: "A hundred feet."

Councilman Kent: "Okay."

Supervisor Villella: "You can continue."

Marilee Fuss: "Thanks. I'm speaking on behalf of Joe Van

deWetering who is unable to be here this evening.

It was less than one month ago that Diane Sawyer and Charles Gibson on their ABC 20/20 show devoted most of their prime time to the inherent health issues related to cell phone operations.

For years the cell phone industry's efforts, just like the tobacco industries before has been to obscure and delude the real dangers inherent with electromagnetic radiation caused by cell phone operation.

According to 20/20, the industry has obtained a scientist, Dr. George Carlo, six years ago, whose job it was to lead a research study team with a \$25 million budget and put to bed unfounded health related concerns.

When the industry began to narrow the direction and the scope of this research, Dr. Carlo came out of the closet, rebelled against his employers and proclaimed that the phone industry was not being honest.

For years the phone company had said that there were no health effects but Dr. George Carlo says harm is very real. Dr. Carlo's surprising conclusions caused a break with the industry. What's even more surprising is that although the industry says there is no evidence of risk, Dr. Carlo states what's wrong-- that's wrong and it's an irresponsible statement. Dr. Carlo's replacement as the industry's research spokesman, Dr. Meltz, states there's evidence of risk - I have to say that there is evidence of risk.

Now the industry says, the FDA says there is no risk.

But a spokesman for the FDA says, the research done does not lead to the conclusion that cell phones are safe. As a matter of fact, the FDA advised that we all cut back on the use of cell phones. Within days of this 20/20 program, the cell industry agreed to do a follow-up research according to the FDA.

Lots of research has taken place in Australia, Denmark, Sweden, Germany, England and Norway - all pointing to health concerns specifically in areas of headaches, blood pressure changes, cancer and changes in sleeping patterns. Dr. Hardell reported that his research showed a predominance of tumors on the left side of one's head if the phone was used on the left side, and a predominance of tumors on the right side of one's head when the phone was used on the right side.

Dr. Carlo's conclusions of direct evidence of harm caused by cell phones showed up in two problem areas: genetic damage - based on lab tests of human blood samples, and brain tumors.

Tests show that 60% of a cell phone's energy enters one's head. Sustained use of cell phones result in leukemia and brain tumors.

If a cell phone can cause these problems at low microwave energy, can you imagine the amount of harmful energy being present when hundreds of phone users are in operation on hundreds of different channels?

It's true the energy is 62 feet away on the top of a tower but the near field region of real concern is from 100 feet to 800 feet from the energy source, meaning the zone of danger extends 800 feet out from the top of the tower covering, therefore, an area of 50 acres.

Should we ignore this and allow Boy Scouts to reside and play in this area? I sure hope not.

Please, Board Members, please don't allow towers in populated areas.

He also enclosed for your edification a copy of an article from the New York Times October 26, 1999 discussing Dr. Carlo's concerns. Thank you."

Supervisor Villella: "Thank you. Bill."

Bill Rowe: "Good evening, Board Members. Bill Rowe, 1884 Sound Avenue, as you know by now in Baiting Hollow. Right next door to the Boy Scout Camp. I didn't know Marilee was going to bring pictures in but I've got some pictures of the tower down on Fresh Pond Avenue down the road from Thurm's Estates. When you see these pictures, you'll see that the average height of the trees, as I see them when I'm down there are 50 feet, and this tower is standing way, way above and that's what I see over at the Boy Scout Camp if that thing ever goes up there.

Going back to the September 21st meeting, I asked the Bell Atlantic's expert on RF-- radio frequencies-- as to whether or not they were going to put reflectors on the backside of the antenna tower. And he sat up here in awe and said or actually in why are you

asking that question to me-- and I wanted to know if they were going to reflect the signals thrown toward Riverhead or, in fact, were they trying to enhance their signal to Connecticut. And in Newsday, the following day, on page 3, half page article, was regarding Bell Atlantic teaming up with a British company that owns some major cell company in the United States whereby that was going to give them access to long distance service nationwide. And that kind of makes me think that this is what Bell Atlantic really is here for, to try and get that tower up there so they can put their signal across the Sound to Connecticut and so on and so forth.

And I stick with that. And as I said at that time, and I took out my Bell Atlantic cell phone and reminded you that I live right next door to the Boy Scout Camp and I've got the same ground elevation that this antenna would be built at and my cell phone works there. I don't have to climb up on my roof to use it. The signal is clear. So we're not missing any communication up there with cell phones.

As they stated, there was a gap in the service there. I don't believe it. I think they're trying to cram lies down our throat. That's my opinion.

In any event, I'd like to give you these pictures so you can look at them and see how, in fact, how high that tower really would be and I would imagine that it's the same type of tower or the same manufacturer, if not that they would be looking to put this tower on by. So here's this picture and I don't believe these people. All right. That's all I have to say. Thank you."

Supervisor Villella: "Thanks, Bill."

Councilman Kent: "Thank you."

James Garfield: "Good evening. My name is James Garfield. I live in Baiting Hollow. And just one quick question. How come Cablevision is never here when we're talking about cell phones and Bell Atlantic?"

Supervisor Villella: "Good question."

James Garfield: "I mean (inaudible)."

Supervisor Villella: "That's why we called up."

Unidentified: "We also notified them-- "

Supervisor Villella: "What did they tell you? The same thing they told us? I have no one in the office."

Unidentified: "No, they didn't say that."

Supervisor Villella: "Mary, step to the mike. You've got to make it official."

Mary (inaudible): "Somebody from our organization-- Baiting Hollow-- "

Barbara Grattan: "State your name, Mary."

Mary (inaudible): "-- called to say we were going to have a meeting, could they be there. Okay, so they were notified. I want to know the reason why twice now they're not here."

Supervisor Villella: "So do we. This is the third time now in the last two months they haven't been here."

Mary (inaudible): "Okay-- "

Supervisor Villella: "Yeah, the day meeting which we knew for some reason they didn't have it on their calendar, the day meeting. But, tonight they should-- they've been here almost every night meeting. I think besides the Town Board, I think everybody should write a nice little nasty letter to them."

Mary (inaudible): "Or somebody is holding them from coming in. Or holding them back from coming in. (Inaudible) does not want it to be publicized so that's the reason also."

Councilman Kent: "Are they going to keep playing that Board meeting from a month ago?"

Supervisor Villella: "All right. Thanks, Mary, we're just as upset as you are with that. It's not right."

James Garfield: "When trying to decide whether to approve this application for the cell tower. The Board must first consider the effect it will have on the neighborhood character. This is a rural, environmentally sensitive area with proximity to the Department of

Environmental Conservation Fresh Pond area, as well as Long Island Sound.

Approving this site will set a precedent that would force the Board to accept similar projects in other environmentally sensitive areas which cumulatively could have a negative impact on Riverhead town.

The significant negative aesthetic impact would reduce the home buyer pool leading to a reduction in real property values in the immediate area. One reason people buy in this area is in the belief that with the combination of the Boy Scout camp, the DEC area and the adjacent state park land that they can be assured that the character of the area will not change and we would have a sustainable quality of life into the future.

We pay a premium property tax rate to live in this area, a premium which I believe is worth it because of the ambiance of the area, but erection of a 100 foot antenna would significantly destroy the ambiance and certainly call for the town to adjust our property tax accordingly.

By Bell Atlantic's own admission, this is a small hole in service which they are trying to correct. Denial of this application for this very limited area would not constitute a prohibition of service.

The Town Board must first and foremost weigh the benefits, if any, to the town and its residents versus the costs in quality of life and environmental health to the town. The way I see it only Bell Atlantic and a small population of cell phone users in their cars will benefit from approval of this.

Whereas the costs to the community are potentially very high. If a precedent for this kind of commercial use is set in the valuable Sound Avenue corridor which in and of itself is a tourist attraction and economic attraction, it will become increasingly difficult to limit commercial development along Sound Avenue which would harm the appeal of the area significantly.

If the Town Board is not prepared to reject this project on its merits now, it should require a new visual impact analysis for winter foliage and let the Silver Beech Home Owners Association know when this will take place so we can have our photographer out there at the same time to take a picture from something other than the snail's eye

view.

But I hope the Town Board will put this to an end this evening. Thank you. Good night."

Councilman Kent: "Thank you. Thank you very much. Ann, did you want to speak on this?"

Ann Miloski: "My name is Ann Miloski. I'm a Calverton resident. There is nothing wrong with cell towers in proper places but this is not a good site and should be denied for the following reasons:

Number one. It is in a New York State designated historical corridor.

Number two. It is a not-for-profit organizational property which is not zoned for profit commercial business.

Number three. It will devalue properties in the neighborhood.

Sound Avenue was designated as a historical corridor and it is the duty of the Town and Town planners to preserve the character of the area and avoid any unnecessary aesthetic blight.

For these reasons I ask you to deny this application and ask Bell Atlantic to find a more suitable site, one we can all live with. Thank you."

Councilman Kent: "Thank you, Ann."

Ann Schuessler: "My name is Ann Schuessler and I'm a resident of Baiting Hollow. A couple of months ago our family got a letter in the mail regarding a special permit for a cell phone monopole to be erected across the pond from our house. We got this letter because we lived within 500 feet of where this tower is to be built. The permit is also for a generator that is to be housed and run on the property.

It turned out that one of our neighbors was asking for this special permit, the Boy Scouts. The Boy Scouts have turned out to be the kind of neighbor who lets you find out what they are planning to do by having you receive a certified letter in the mail. Now, we were surprised and angry because this is a neighbor that we have all supported financially for a long time. This neighbor does not pay

taxes. You and I have said that's okay, we'll pay your taxes for you. Why did we say this? Because they were not in the business of making money. They were in the business of teaching our children the values we hold dear. Things like how to be stewards of our environment; how to be good neighbors. But for many months this neighbor was planning to erect a structure on his property which would benefit him financially but would decrease the property values of all these same neighbors who had contributed to his financial support - some for all their lives.

Unfortunately you can't force your neighbor to be a good neighbor. But luckily we have government to protect us from those who would cause damage to our person, our property and our environment. This protection is important to us because the force behind this damaging proposal is big business and big money. There is no way our community can fight this on the opposition's terms. We cannot present expensive expert testimony and costly studies nor can we be expected to. That is not our responsibility.

We got this certified notification so that we could have the opportunity to let the Town Board know if we had objections to the monopole being built.

At the last Town Board meeting that this issue was discussed, many of us voiced our opposition to the proposal. We spoke about the visual pollution. We spoke about the health concerns. And I, in particular, spoke about the noise pollution. Because that's why I bought my home here in Riverhead.

Since the last meeting, we have all read how property values decrease in the vicinity of these monopoles. Tonight we can only reiterate our original concerns since we don't have the resources available to us that are available to Bell Atlantic.

We rely on you as our elected officials to hear what we have to say and to represent our best interests.

The area where this is to be erected is a beautiful spot. It adjoins property that's protected by the Department of Environmental Conservation, as does my own property. It's quiet. It's home to thousands of birds. Some of them are endangered and protected by law.

We paid a premium for our house in Baiting Hollow and our taxes are astronomical. We accepted both the premium and the high taxes

only because the location gave us what we were looking for.

Now, a year later, we are asked if we object to a noisy eyesore. Yes, I object. Do I object to losing tens of thousands of dollars in property value overnight? Yes, I object. Do I expect my Town Board to protect me, my neighbors, our property and our environment? Yes, I do.

Lastly, I'd like to say that I've read the subsection of the Telecommunications Act of 1996 which says something to the effect that you may not reject a request for these cell phone towers solely on the basis of health concerns. Well, as you can see from my remarks, I've got plenty of concerns that are not health related. However, I'd like to have on record that I am also concerned about the health issues that are surfacing regarding this technology. I am old enough to remember being told that tobacco was not bad for my health. Then I heard well, maybe it is. And recently the truth has come out to the tune of billions of dollars in lawsuits. This time, let's err on the side of prudence.

Let the Town go after these business opportunities. Let the Town get the revenue and choose appropriate sites. Let's reduce our taxes and safeguard our property, our environment and our health. Thank you."

Barbara Grattan: "Ann-- Ann-- "

Adam Grossman: "The spelling of your last name-- I'm sorry."

Fran Rosenfeld: "I'm moving-- "

Supervisor Villella: "No, no, go ahead."

Fran Rosenfeld: "Come back. Hi, I'm Fran Rosenfeld and I'm a resident of Baiting Hollow. I'm going to present to you a complete-- a couple of pertinent questions regarding the monopole antenna that is currently under discussion and, in addition, I will make references to the Second Circuit Federal Court of Appeals regarding Sprint PCS versus the Town of Ontario, New York Planning Board and the precedence resulting from the above.

First. Was there an environmental impact study and a survey gap study done and submitted to the Board? I am now referring to page 3 and this is on the information that was given to you yesterday, I'm

highlighting. On page 3, it states the antenna may not be placed exactly in the center of (inaudible). It can be placed anywhere within 25% of the radius of the hexagon to be covered. The antenna may be placed on pre-existing structures. Are the two antennas on Fresh Pond Avenue within the 25% radius? If so, can a dish be placed on one of those pre-existing antennas?

Also on page 3, it states that Lucent Technology, a (inaudible) it defines a rural (inaudible) as an area in which the population density is less than 250 people per square mile and the recommended cell radius is set at four miles. We feel we fall under that 250 people per square mile in this area. If this is true, the recommended radius cell should be set for four miles.

Next, please refer to page 10 and the first paragraph. It states a local government may reject an application for construction of a wireless service facility in an undisturbed area without thereby prohibiting personal wireless service if the service gap can be closed by less intrusive means and may be possible to select a less sensitive area or to use a pre-existing stretcher. We found that the existing towers provide cellular service in the area is sufficient. In reference to page 10, paragraph 3 and 4, we surveyed people in our area who use cellular phones and they reported no irregularities with the use of the existing tower. Even if the signal diminished it was under normal limits.

Now I'd like to refer to page 11 on this case and in here, we're stating here that we feel the Boy Scout camp is an historical landmark and it is an environmental sensitive area that should be preserved. Then as to go onto page 11, the last paragraph, I'd like to read from that. It says the real estate experts consulted by the Planning Board state that the tower would have a stigmatizing effect based in part on aesthetics which would reduce the (inaudible), leading to a 10 to 25% reduction in property. Our property values would then be reduced 10 to 25% for properties which view or in the vicinity of a nearby tower.

On page 16, the second paragraph, it states in deciding whether to approve a site plan, the Planning Board must consider the effects of approval on neighborhood character. Furthermore, I would also like to address the safety of our children, many of whom attend and will attend the Boy Scout camp. Even if it's off limits to them, boys will be boys. It will be a challenge for them to find a way to get into it.

And, in closing, I want to strongly suggest to the Board to deny this special permit in light of everything I've just stated.

I'm speaking for myself and I'm also speaking for my neighbors. We truly love the area. People come from all over to see the beauty of the north fork. You can go anywhere in this world and mention Baiting Hollow and either you're going to find someone that went to the camp or knew someone who did. Please, please don't destroy its image. Thank you."

Supervisor Villella: "Thank you."

Joan Griffin: "Good evening. My name's Joan Griffin from Baiting Hollow. I can't say anything more than what these people have already said. Our Boy Scouts are important to us. They don't need to be exposed to this kind of radiation from the tower.

The only thing I'd like to clear up. Everybody is accusing Bell Atlantic. It's not Bell Atlantic. It's Bell Atlantic Mobile. Two separate companies. So when you go after the company, make sure you go after the right company because otherwise you're going to spin your wheels and waste more time. You want to go after Bell Atlantic Mobile. Thank you."

Supervisor Villella: "Thank you. Barbara, these are some pictures."

Rick Schuessler: "Good evening. I'm Rick Schuessler and you know how to spell my name."

Barbara Grattan: "Yes."

Rick Schuessler: "Yes. And I'll be brief. I'll just reiterate-- I want to go on record in agreeing with a lot of the points you've heard tonight. People can say it better than I can. There's a lot of reasons to oppose this tower on this particular site. It's obviously not in keeping with the current uses of the property, Boy Scout camp, it's not in keeping with the character of the neighborhood. It will be a source of noise pollution, amplified by the fact that it's at the edge of a hollow. It will be an attractive nuisance. When we first moved to Long Island, the first thing my sister did was climb the water tower that was nearby. That's what kids do. It will be a source of electromagnetic radiation and those dangers are still being debated. We're just not sure. And the visual

pollution thing -- I think is a really important point obviously.

I wasn't here at the last meeting. I was disappointed that when Bell Atlantic came in tonight they gave you guys some paperwork with supposedly lots of information answering questions but, of course, we don't know what that says. So I still have a lot of unanswered questions.

On the visual pollution aspect, I'm very much concerned. Do we know what it's going to look like with the leaves off the trees? Do we know what it's going to look like from Long Island Sound, from the beach, from Wildwood State Park? These are all reasons why we live here and these are all areas where visual pollution is going to be more than just the annoyance of a fickle neighborhood.

I hear a draft environmental impact statement was filed. I don't know if that's necessarily true. But there's a lot of environmental impacts that don't seem to have been considered based on what we've heard so far. The visual thing seems like it was improperly or insufficiently considered.

The impact on real estate. Fran was speaking earlier there are court rulings that say that real estate impact value is environmental impact. It is valid to consider it. Yes. In Watertown they found 10 to 25% because they brought in their own experts. Did the Planning Commission here even bring in any of their own real estate experts? Were the issues ever really considered? Do we know what that real estate impact is? And amazingly what she said was true. They found that you don't have to see the tower for it to lower your property values. Just being near it is (inaudible).

The (inaudible) of impact. Again, that Court ruling talked about saying in the case they were looking at, Sprint filed an application the cumulative impact of future applications that would happen because once you let the horse out of the barn so to speak by putting up one tower, there will be more. Even though there were no other applications pending at the time, the highest Court ruled that it was proper to look at the cumulative impact and say that's a problem. It's a valid thing to do.

The character of the neighborhood, avoiding aesthetic blight. These are found to be reasonable reasons to reject a tower. Very important about the coverage. The Court did find that it is valid to deny an application unless the facility being requested is the least

intrusive means for posing a significant gap in service. The Telecommunications Act allows that. Did they really prove the significant hole in coverage? It sounds like by their own admissions, it's a fairly small hole in this area and that Court ruling, in the Watertown case, said that you can leave small gaps in coverage. That's not prohibiting service to people. It gets (inaudible) It gets to the point where especially in a semi-rural area like ours, it's just not important for the common good to provide that last ounce of coverage compared to the other factors that aren't being considered. The other impacts. Aesthetic is a valid impact. And it's something that the Planning Board is really required to look at.

Neighborhood character. In that ruling, it said that the Planning Board has to consider the effect of approval on neighborhood character. That's not-- it's not nice to have, it's really something that's them doing their job. And to kind of sum that area up. It sounds to me like a lot of the important environmental impacts, including real estate values, including aesthetic blight, were not really addressed and they certainly weren't mitigated in any way. And when you come right down to it, that was the job of the Planning Board. I think maybe the Planning Board let us down during the process so far and we're asking the Town of Riverhead to set it right. Thank you."

Supervisor Villella: "Thank you. Charlie."

Charles Cetas: "I don't have a prepared statement. My name is Charles Cetas, Vice-President of the North Fork Environmental Council."

Supervisor Villella: "You don't need one, Charlie."

Charles Cetas: "I believe it was stated at the previous session on this that the North Fork Environmental Council supports the residents of Baiting Hollow in their opposition to this special permit for a cell tower there. And I guess the question is, was there or was there not an environmental impact statement done for this special permit application? Or was there just a long environmental assessment form? And what's on file with the Town now? Do we know?"

Supervisor Villella: "That's a good question."

Charles Cetas: "Aren't you the lead agency on this? Or the Planning Board lead agency?"

Councilman Kent: "There's no DEIS on this."

Supervisor Villella: "Where's Rick? Is Rick available?"

Councilman Kent: "I think we can answer the question though up here. There is no DEIS."

Charles Cetas: "There should be. I mean it's obvious to me. I mean, what they're asking for is absurd. You know, you have this thing sitting next to a state park, a critical environmental area designated by the Town of Riverhead, the Baiting Hollow marsh is owned by the DEC, it's all public land, recreation open space area. All the stuff is criteria for determining significance under the State Environmental Quality Review regulations. You know, this is a whole failure of the Town of Riverhead not to be part of the impact statement on this application."

Supervisor Villella: "Mr. Hanley, Rick."

Charles Cetas: "I just have one other little thing on the visual aspect of the thing. I know you've got a tower in Northville now that's got a light on top of it that when it's shining, going around at night, looks like a damn airport runway light or control tower light."

Supervisor Villella: "Rick-- Charlie, what was the question? You want to ask Rick-- "

Councilman Cardinale: "Rick, the question is was there any requirement for a draft environmental impact statement in regard to this application?"

Richard Hanley: "No, there was not one prepared. We have a long form EAF that we were using with an attachment part D which went into the supplemental detail on the petition."

Councilman Cardinale: "How was the action typed?"

Richard Hanley: "Let me check that for you. I'd not exactly sure. But I know there was an EAF with a part D. I'll go look at the file."

Councilman Cardinale: "Yeah, there's been an issue as to whether or not there should have been a draft environmental-- "

Richard Hanley: "Type I presumes an EIS but there's no mandatory requirement for it. It's a lead agency decision whether an EIS is required. But I'll check the file."

Councilman Cardinale: "All right. Would you, please?"

Richard Hanley: "Sure."

Supervisor Villella: "Ann?"

Ann Morow: "My name is Ann Morow. I live in Baiting Hollow. I live across the street from the proposed tower. I'll keep this very simple. I'm not a scientist and I would debate any of you as scientists. We're not here to decide if cell towers cause cancer. If cellular phones do that. The tower is just simply a dumb idea at that site. It's a bad idea, it's not good for that area of town. It's not good for the Boy Scout camp. It is certainly not good for the neighborhood and I think that if at no other time-- sometimes in this town we have a long tradition of looking back and wishing we'd done things differently. This is a wonderful opportunity to do it right, right at the start and not put this thing in there again."

Bell Atlantic has no other motivation than a singular commercial one. The Town Board on the other hand has to have the best motivation possible and it is obviously evident from all the testimony here the neighborhood doesn't want it, most people in town wouldn't want it if they really knew about it, thank you, Cablevision. So I urge you in the strongest terms to do the right thing here. It's just simply a bad idea."

Supervisor Villella: "Thank you, Ann. Yes, anyone else like to speak? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. At the other public hearing which I believe was on the 21st of September, the gentleman that spoke here earlier said that we're not-- the Town Board was not to take in health matters as a reason for disapproval. Well, that upset me quite a bit because we-- us citizens that live in the town, we work and produce the taxes to support the town and keep the town going in a safe environment. Now, we certainly don't want something to come in here and upset that safe environment. So I sat down with pen and paper and I wrote a letter to the FCC and I asked them about this here health statement that was made at the public hearing, that it wasn't to be considered in debate of the Town Board."

Well, what I have done, I have enriched the post office by \$.33 but I haven't got a single word from the FCC. So that tells me something that my father used to say when I was a youngster. If you write a letter to any agency or government agency and you don't get a reply, then they've got something to hide. And so in this case, I think they've got something to hide. They don't want to come out and put it on paper and say it is. So, going back to the Lincoln philosophy that the government is for the people and by the people, in this case it is sort of like the homeless boy once said. The objective of big government especially federal government and Bell Atlantic, medical, financial, you tell it is, the objective is to stick it to your fellow man. Maybe that includes you, too. It just happened that the quote had man in it.

So, what it's boiled down to is never mind your health, never mind what it will come to in the environment like the EMF of all electric lines and it slowly gets you as you live, they don't care about that. They only care about making a dollar on this. So, since the Federal Communication Commission didn't answer me, then as my father said, they're hiding something."

Councilman Cardinale: "Steve, in regard to what you just said. I was concerned about that issue at the initial hearing as well as the proponent's attorney indicated that health considerations couldn't be used as a reason for rejection. And I had asked our Town Attorney to verify whether that general statement was true and I believe, Adam, you can expand on this. I don't believe that was an accurate statement according to what we're getting from our Town Attorney or at least it was an over-expansive statement. So could you explain, Adam, that issue?"

Adam Grossman: "It can't be the sole reason for denying an application but it can be a reason."

Councilman Cardinale: "So that's a very big difference. It cannot be the sole reason but it can be noted by the Board as an important reason."

Steve Haizlip: "If it ain't a reason, why come the FCC don't answer?"

Councilman Cardinale: "They never answer."

Supervisor Villella: "They know you're a watchdog, Steve. But

keep it up."

Councilman Cardinale: "Did you have an answer for us in regard to the draft environmental impact?"

Richard Hanley: "Yes. On May 4, '99, the Town Board resolved to declare themselves lead agency and you called this an unlisted action not requiring an EIS."

Councilman Cardinale: "Well, if it is an unlisted action, we didn't call it. It either is or isn't listed. Is it listed?"

Richard Hanley: "You determined it as an unlisted action. It is not listed as a Type I action."

Councilman Cardinale: "So it is not a Type I."

Richard Hanley: "It is not a Type I."

Councilman Cardinale: "It is an unlisted and in an unlisted you are not required a draft environmental statement."

Richard Hanley: "However, there are attending documents in the file which are attending the EAF, dealing with electromagnetism effects as well as an engineering report on the pole. So there is some environmental investigation done without the EIS."

Councilman Cardinale: "Although it is generally-- although an unlisted action does not require a draft environmental impact statement, could the town if it elected to require one?"

Richard Hanley: "Yes. If the EIF shows a number of major impacts or major potential impacts that have not been mitigated by project design, you are in a position where you could, in fact, do that. We saw two major impacts in the Planning Department with this, one being the possibility of some health effects from electromagnetism which we asked them to submit studies, which they did, as well as just the structural integrity of the pole, which they did. Those are the two issues that came out of this."

Councilman Cardinale: "So they've been briefed so to speak but if there are other issues we don't have anything in the file."

Richard Hanley: "That's right."

Supervisor Villella: "Thank you. That was under Form D of the EAF?"

Richard Hanley: "Part D, and there were attending documents submitted by the applicant."

Councilman Kent: "State your name again, please?"

Supervisor Villella: "Who are you?"

Charles Cetas: "Charles Cetas, North Fork Environmental Council, Vice-President, resident of Riverhead. You can require an impact statement on an unlisted action even if you only just find one significant impact. I think these people gave you a whole (inaudible) potential significant impacts. So I think to protect yourselves from potential lawsuit, I think you ought to rescind that neg dec resolution and turn around and do the right thing."

Councilman Cardinale: "Well, I think that may be a choice the Board might want to make but to make things clear, unlisted actions generally do not have environmental impact statements."

Charles Cetas: "Not necessarily."

Councilman Cardinale: "That's a generally fair statement. So that we would have to find some extraordinary reason to have one done."

Charles Cetas: "Well the only-- when you have Type II action-- are listed as not requiring environmental-- those are addressed-- actually, unlisted action, all it means is it's not on your list or it's not on the state list-- "

Councilman Cardinale: "Right."

Charles Cetas: "-- but you can through process of preliminary review determine that it does have impacts."

Councilman Cardinale: "I understand what you're saying."

Charles Cetas: "And then because if you do find that, then you have to require an impact statement."

Councilman Cardinale: "Thank you, Charles."

Supervisor Villella: "Anyone else like to speak on this public hearing? Mary?"

Mary Oleksiak: "Okay, Mary Oleksiak. Are we going to get impact-- the statement on this?"

Supervisor Villella: "Adam, are you going to talk about that?"

Adam Grossman: "I think the Board has got to discuss it amongst themselves what they're going to do from this point. So I don't know that they can answer the question at this moment."

Supervisor Villella: "We can't close the public hearing tonight. We have to keep it open."

Mary Oleksiak: "Okay. All right. According to what we get from this case that we have here, it says it's required to have an environmental impact statement. And that's what we're getting out of this. Unless we have to get a lawyer now to also state what we're stating and to check into this for us which I don't think is necessary."

Councilman Kent: "I don't think it's necessary."

Mary Oleksiak: "Okay, I think the Board should look over this and check, like what he stated, we did give a sufficient number of reasons to do an impact study on it."

Supervisor Villella: "Okay, Mary. We're going to keep it open for two more weeks-- "

Councilman Kent: "No, no. Three weeks. We're going to leave-- we're going to put it over to December 7th."

Supervisor Villella: "The next Town Board meeting, December 7th. Excuse me? Yes, please. State your name."

Ann Schuessler: "I think that you have more than enough-- Ann Schuessler-- I think that you have more than enough for an environmental impact statement. I think we have more than enough to deny it. I say the heck with the environmental impact statement and just deny it."

Councilman Kent: "That's good. Thank you very much."

Supervisor Villella: "Okay, thank you. Anyone else like to speak?"

Councilman Kent: "Keep it open to December 7th."

Supervisor Villella: "December 7th, we're going to keep it open. I think we have one more speaker."

Councilman Kent: "Okay."

Alfred Alamato: "I'm for the applicant, Mr. Supervisor."

Supervisor Villella: "Right."

Alfred Alamato: "I'd like to have Mark-- "

Barbara Grattan: "Could you state your name, again?"

Alfred Alamato: "Alfred Alamato for New York SMSA Ltd. Partnership. I'd like to have a couple documents marked for the record. An appraisal prepared by Breslin Appraisal Co., Inc., June 23, 1999, (inaudible) a site visit analyzed the proposed build, went around the neighborhood and looked at the potential impact of the pole on the value of the surrounding community and has concluded that it will not adversely impact real estate values."

Supervisor Villella: "Okay, let's keep it down."

Alfred Alamato: "Also, Mr. Supervisor, I'd like to have marked supplemental information which I did submit to the Town Clerk to be distributed. I'd like to hit on a few brief points that are in here and also have it marked for the record. This addresses-- clarifies the height of the monopole as applied for on the application which clarifies the zoning code process, at least our view of it, under the Town of Riverhead's code. The Boy Scouts and Ken DePece from the Boy Scouts is here today, addresses each and every question that has been raised regarding tax exemption, preservation of the property, long term plans, all included and contained within this memo. In a few minutes, Mr. DePece would like to say a few words.

We discussed the visual impact of this facility on the community. I'd like to stress here, this is a 62 foot pole. The Sprint case is 3 150 foot poles. The Board said we won't give you that, we'll give you 2 250 foot poles. There is no analogy. Sprint took a position all or

nothing, 3 150's, not 2 250's. We are coming here with the bare minimum. We are barely clearing the treetops. We have looked at existing structures. There are no existing structures in this corridor that works. So at this point I'd like to make that distinction and we do go for that.

We discussed migratory birds. I believe when Mr. Bowman spoke in opposition of the application last time he was here as a member of the community, we have incorporated his study in 1994 on migratory birds that he performed for Southampton where he concluded that if the pole is under 500 feet, there is no effect on migratory birds provided the same is unlit and we not anticipate this will be lit.

The property is not located in the Pine Barrens or any DEC protected area. That is very much towards the rear of the property in the coastal area. On top of that, the property-- and no structure on the property rather is listed under the state or national register for historic places. And we have reports concluding that as well.

The structural integrity was mentioned briefly. As we said before, no pole has ever fallen due to natural causes. Period. It can withstand 85 mile an hour winds with a 1.69 gust factor. We list three hurricanes that it has withstood recently and not one has ever failed-- just a kink in the pole.

I can't stress this enough. The Board is preempted from utilizing health in its decision making basis, a decision factor. I'd like to quote the Telecom Act of '96. The Federal Telecommunications Act of '96 prohibits a state or local government or instrumentality thereof from regulating the placement, construction, and modification of personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with FCC regulations. We have significant reports to show that we're hundreds to thousands below the threshold limits established by the FCC.

In Cellular Telephone versus the Town of Oyster Bay, a recent decision, a few months ago, the Court looked at case law and decided on health effects and they held for the applicant.

We are hearing statements that this is a microwave tower. This is not a microwave tower. This is the equivalent of the old UHF TV broadcasting channels. There is no microwave at this facility.

At this time, I would like to ask Mr. DePece to make a few statements."

Supervisor Villella: "Sure."

Kenneth DePece: "Good evening. My name is Kenneth DePece. I'm the Executive Director of the Scout Executive Council of Boy Scouts. I've come tonight at the request of Mr. Alamato to address personally the concerns and the issues that you may have that relates to the Boy Scouts of America, the Suffolk County Council, Camp Baiting Hollow, and this lease. He has submitted to you already a rather extensive memo that I did prepare addressing the concerns that came out at the last hearing here and I hope I've done an adequate job. I would be more than happy to expand and amplify or explain anything that may be contained in there or to provide any further information.

I would like to add at the same time before I make a couple of brief remarks in an area that I do want to address and I recognize is a concern that has risen in many ways, many times tonight as well as it did at the last hearing.

Not only am I the Executive Director of the Boy Scouts here but I'm also a resident of Riverhead. I chose to make my home here in Riverhead and in Baiting Hollow. So I'm here also as a fellow citizen and I can tell you that I take very personal regard the interests of my community and my fellow citizens and I live in the neighborhood near the camp that will be affected by this also as an (inaudible).

The first statement that I would like to make and make real clear to the Board and to everyone here that at any and all times, the health and the safety and well-being of children, adults, anyone that participates in any of our programs or at any of our facilities, is first and foremost at all times in our minds. Our Council would not become involved in any situation that would have the slightest hint or the threat to the health, safety, of anyone that participates in our program or comes to our facilities."

Supervisor Villella: "Good."

Kenneth DePece: "This comes before all other priorities. Secondly, probably the second greatest priority the Suffolk County Council of the Boy Scouts is the sustenance, maintenance, the development of Camp Baiting Hollow. It has been described, and I have described it also, through history, in fact, this has been true, the

heart and soul of the Scouting movement in Suffolk County. It is our most precious resource, it is our most important facility and we would do nothing to jeopardize its future. In fact, we will do everything, everything in our power to protect it and enhance its future. The lease arrangement with Bell Atlantic will provide just such a deal. I am aware-- I'm new to the job here only in the past several months, but I am aware that this particular body, during the discussions and talks about merger between the two Boy Scout Councils on Long Island took a position that it wanted to preserve the Suffolk County Council. That particular decision was taken in that regard and is indeed the very reason why I'm here today.

And I'm also aware that probably foremost in your minds when you took the pro-active measure to express yourself and stand behind the Suffolk County Council, was your regard, your interest and your concern about Camp Baiting Hollow. I can tell you through my career, I'm a professional in the Boy Scouts of America for 23 years, I was a Camping Director, Finance Director, and I'm a recognized expert on camp property management, camp operations and financial management of Boy Scout Councils and I can tell you the best way that you can protect, preserve and enhance Camp Baiting Hollow is to allow the Boy Scout Council and the camp to have the resources that the lease arrangement with Bell Atlantic will provide, to protect that property-- "

Supervisor Villella: "Wait a minute, wait a minute. Please. First of all, did we ever get a lease agreement from them? Did they come to the Town Clerk? We asked for it-- "

Alfred Alamato: "There is one that has been submitted."

Supervisor Villella: "It has been submitted?"

Alfred Alamato: "Actually, you have six copies of this already."

Supervisor Villella: "Okay. That's something that we need. Thank you. Second of all, we had talks about-- we really do want to preserve Camp Baiting Hollow and we have a quarter percent drinking water funds of equivalent to quite a few hundred thousands of dollars. We would like to preserve that land and have the Boy Scouts, you can do what you want to do with that money to help the Suffolk County Boy Scouts. We want to preserve that land the way it is and make sure that nothing goes on that property. That's-- development rights."

Kenneth DePece: "That is certainly possible."

Supervisor Villella: "Please, please, please, please, please. That's something that we were looking into because we do have extra money for parklands. It's not under the farmland preservation so we cannot do it, it's not farmland. But under the parks we can do the quarter percent drinking water and I'd like to have a few members of your board and everything set up a meeting. This is something different from that but this is something-- we want to preserve that property. Sounds like you're in-- you want to do this because you need money. It doesn't make sense to me. I can't talk about that now, that's something that's-- okay. I just want to let the Boy Scouts know that the town is behind them 100%."

Kenneth DePece: "Absolutely and-- "

Supervisor Villella: "That's why we stepped in and where we're pro-active with Nassau County."

Kenneth DePece: "Exactly."

Supervisor Villella: "Okay, thank you."

Kenneth DePece: "I would say also that in-- that the site itself, in a recent (inaudible), the other topic that came up is that in some way this implies some sort of master plan to liquidate property, to use it in another manner. That is the absolutely furthest from the reality of the actions of our Board and our study of this. In fact, the presence of the tower itself would encumber that particular piece of property there and prevent its liquidation for development in the future for the term of the lease which is 99 years."

Another point that I would like to make is that the location of the tower will have absolutely no effect on the use of the camp. It is in an area that will not be used for program purposes with or without the tower and in an area immediately adjacent to what is currently a maintenance yard, a similar facility which is out of the program area of the camp itself also."

Councilman Cardinale: "Could you clarify what you were saying about the 99 year lease limiting your ability to liquidate or sell the property?"

Kenneth DePece: "Actually-- clarification-- "

Councilman Kent: "It's not a 99 year--"

Kenneth DePece: "It could possibly-- "

Councilman Kent: "There's a bunch of options. The initial term is five years. Correct?"

Kenneth DePece: "Well, yeah, but the Boy Scouts (inaudible) for 20 to 25 years in (inaudible) of five year increments, basically, you know, (inaudible). You're looking at a minimum term of 20 years."

Councilman Cardinale: "Minimum term of 20-- what I question is actually not so much to the term but to what you were remarking about the length of the lease impacts on your ability to liquidate the property."

Kenneth DePece: "Well, with the least in effect it obviously could not be sold off or used for other purposes during the lease."

Councilman Cardinale: "Are you saying that if you lease it, you won't sell it until the next 99 years?"

Kenneth DePece: "What I'm saying is we simply couldn't."

Councilman Cardinale: "You couldn't sell this subject to the lease?"

Councilman Kent: "And it's only 11-- you're only impacting 1120 square feet."

Kenneth DePece: "Exactly. At least that area there-- but it is on the roadfront and the immediate front of the camp property itself."

Councilman Cardinale: "Of course you could sell the property subject to the lease affecting the 1100 feet in view of the fact-- how many acres is this? Hundreds of acres? 89 acres. So you have 1100 square foot lease affecting-- that affects only 1100 square feet so I don't see how that will impact on the sale of the 89 acres."

Councilman Kwasna: "No, he's saying the money that they make from it would guarantee that they don't have to sell any other property, is what he's saying."

Councilman Cardinale: "You're saying that the money that you

would receive from the lease would guarantee you won't have to sell the rest. Is that right?"

Kenneth DePece: "That particular portion of it. And obviously my point with that is that particular area which is a potentially a developable area, would be encumbered."

Councilman Cardinale: "I think I understand what you're saying. You understand what the Supervisor was saying that he would like to discuss with your board if you are looking to have financial security in continuing the piece undeveloped, to consider selling the development rights which would attain you a great deal more money and a great deal more assurance to the town that it would not be developed, that site. That would probably be a better route to go than to do this lease."

Kenneth DePece: "Perhaps. And at the same time it could be (inaudible)."

Councilman Cardinale: "Right."

Supervisor Villella: "No. You can't have both."

Kenneth DePece: "If there's anything else I can address, I'd be happy-- "

Supervsior Villella: "I would like to ask Mr. Alamato."

Alfred Alamato: "Actually, to make comment on the drinking water (inaudible) but the applicant would consider (inaudible) and reserve all rights thereby."

Councilman Cardinale: "Well, we don't want to buy your lease. We just would be interested in buying the development rights."

Adam Grossman: "And it's a voluntary program. The town can't force the owner of the property-- "

Supervisor Villella: "Yeah, we can't force him to."

Councilman Lull: "I think he's misunderstanding the whole program here."

Supervsior Villella: "Yes, that's true. But there's something

I wanted to ask. Do you-- you are going to have a 62 foot monopole. This is what you would like to have. How many-- how much income do you anticipate to get off that 62 foot pole?"

Alfred Alamato: "As far as the applicant?"

Supervisor Villella: "The applicant or if anyone else-- "

Alfred Alamato: "(inaudible) other than Bell Atlantic."

Supervisor Villella: "Okay. Because that was a question someone else brought up."

Alfred Alamato: "That's what planning has suggested, 100 foot so everyone can locate on the same site. The applicant would like to offer to fly a balloon at the site for the Board to keep the-- "

Councilman Kent: "We've had that offer before."

Supervisor Villella: "WRIV."

Alfred Alamato: "-- we would schedule a time with the Board, we would fly a balloon at the exact spot at the exact height, for however long we need-- visibility on the site from different areas."

Supervisor Villella: "Do you want the balloon?"

Councilman Cardinale: "Yeah, I would love to see the balloon?"

Unidentified: "Are you going to turn the generator on, too, so we can hear it."

Supervisor Villella: "All right. No-- okay, no comments, please. If you want, you can speak up here."

Alfred Alamato: "If I may comment on the generator, Mr. Supervisor. This is an emergency generator. The Boy Scouts have an emergency generator. It's going to go on if there's a hurricane. If for some reason there's a power outage. I think-- I would think the (inaudible) would want it. It's run one hour per week at a time-- if the town wants to designate a time for testing, that would be fine. And it's located well within the property. It's not being run by generators, it's being run by electrical lines. You are dealing with a (inaudible)."

Councilman Lull: "Vinny, just have them call you tomorrow about the balloon business."

Supervisor Villella: "We can settle on the balloon. You can call up Town Hall tomorrow, we'll see what's what. But right now, like I said, we're going to keep it open for two more weeks and-- no, December 7th. It's three weeks. Written comment only."

Alfred Alamato: "December 7th."

Councilman Kwasna: "Written comment only. There will be no more public."

Alfred Alamato: "No more public."

Supervisor Villella: "No. We have enough information."

Alfred Alamato: "Can I ask you, is there any other information you are looking from us that we haven't addressed at this phase, Mr. Grossman, (inaudible)?"

Supervisor Villella: "No, we haven't. That's the reason why we would like to keep this open and-- "

Alfred Alamato: "Okay. And I can (inaudible) as to any further information that you need."

Supervisor Villella: "Do the residents-- the balloon?"

Unidentified: "Is it going to be a big hot air balloon? Is it going to be-- "

Unidentified: "There going to be no wind that day so it doesn't go down?"

Supervisor Villella: "All right, that's it."

Councilman Kent: "Please, please, if you have comments, please, come to the microphone."

Supervisor Villella: "I opened up a can of worms with that."

Councilman Kent: "We're not going to engage in this type of hearing."

Supervisor Villella: "Okay, we'll talk about that tomorrow. You could call up the Town Attorney. Thank you. Donna. Don't have the baby now."

Donna Goodale: "(inaudible)."

Supervisor Villella: "Midget."

Councilman Kwasna: "No, little person."

Councilman Kent: "Little person."

Donna Goodale: "I realize that this is a very important issue for everyone here and anywhere there's two sides debating, sometimes it's good to add a little levity to it. So, the Riverhead Theater Corps. along with the Town of Riverhead is doing a millenium New Year's Eve Gala at the (inaudible). So we really, really would like you to come out."

Supervisor Villella: "Go ahead, continue."

Donna Goodale: "Okay. Well, even if it wasn't, it's good to have some levity here."

Supervisor Villella: "You can turn this off."

Richard Amper: "A penny for your thoughts."

Supervisor Villella: "Bite into it, see if it's real."

Richard Amper: "Actually, I have an apology to make to the Board of the basis that Mr. Talmage and I have demonstrated exactly how you should not conduct public hearings for the last couple months. I think tonight(inaudible)."

Supervisor Villella: "That's right."

Richard Amper: "I do want to talk just for a minute about the sore subject."

Barbara Grattan: "Just state your name."

Richard Amper: "Richard Amper, the Long Island Pine Barrens Society. The subject of Boy Scouts -- balloons (inaudible) I'm going

to actually join Mrs. Goodale with the notion that maybe we should take a slightly lighter view of these things and certainly introduce the atmosphere. The Boy Scouts lost their way in the woods-- not the kids or the scoutmasters, but the people who run the Boy Scouts of America. When they proposed here in Riverhead not very long ago, which was to tax a portion of the Wauwaupux Camp (phonetic) and turn it into a golf course, you know my feelings I guess about golf courses, we wondered what that would lead to if, in fact, the Boy Scouts should not sell their land for the development rights which I think is a very, very good idea. We can compensate the Boy Scouts for giving (inaudible) by selling the development rights and they get the dollars that help Scouting at the same time the land gets preserved in the traditional use of Scouting (inaudible). I think that really makes good sense.

What happens if we don't do that? What if we do as the Boy Scouts in Nassau County proposed, and turn the Scout camps into well, golf courses, for example? Maybe the next step is that the kids no longer wear those little cute outfits but they show up in plaid pants and polo shirts. That would seem to be bad to me for Scouting. Maybe they don't any longer (inaudible) and toast marshmallows on the fire. Maybe they just hang out in the clubhouse eating sushi. Maybe doing a good deed in Scouting is no longer the merit badge-- you're right, the merit badge which you get from helping a senior citizen across the street. Maybe you just let them play through. And maybe the bottom line, if we're not doing scouting as we formerly knew it, maybe if the famous motto, the famous slogan of scouting-- what is the famous motto of scouting? Be prepared. We could shorten that and make it more appropriate to golf. You could just yell fore, you know, the Scouts would actually become golfers and they could be more like the leaders."

Councilman Kent: "What does that have to do with-- "

Richard Amper: "So the notion of this is very, very simply, that we can't take ourselves too seriously but we should take what we're doing very, very seriously. What you're doing in Riverhead is you're trying to decide whether to put the business of scouting in the business of development. You're trying to decide whether the message we're trying to say and send to our kids is one that it's a question of dollars or it's a question of sense and what I'm suggesting that you folks have is a solution, a middle road, a-- something that I'll advocate for perhaps later this evening, and that is some middle road that simply says, let's not turn scouting over to the proprietary

sector, let's not put them in the telecommunications world in order for them to allow-- to allow them to roast marshmallows and participate in the appreciation of nature and the stuff that we have out here that we don't have at any other place. Maybe we can do both. Maybe we can simultaneously provide the dollars and cents they need for scouting without allowing their leaders to really undercut what kids stand for, what the leaders stand for, and what the volunteer stand for, and that's scouting what the kids do.

So I very much appreciate the humor and the levity that is attributed by the group that came out here and I hope Riverhead celebrates the millenium with a very, very (inaudible) notion of the future. But we can't do it by looking backwards and saying what the 19th and the 20th century seemed to tell us was the only thing that we could do is leave our values and focus on the almighty dollar. I don't think Riverhead has to do that, I don't think that the Boy Scouts has to do that. And we especially don't have to do that here. Thank you."

Supervisor Villella: "Thank you. Bill?"

William Rowe: "Hi, Bill Rowe, again. I don't mean to prolong the agony but I have to comment on what Mr. Alamato's comments. He's emphasizing a 62 and a half foot tower where we all know he's looking to get that 100 foot tower. I wonder if he'd be willing to look at the photographs that I submitted to you before showing just, in fact, how high that tower goes above the average tree height in that area and he also quoted another one of Bell Atlantic Mobile's experts again, yes. That the birds are not affected under 500 feet. Well, don't these birds live in the trees? I always see nests and birds coming out of the trees. So, you know, where is this guy coming from with his information?"

Councilman Kent: "I think he quoted Mr. Bowman who happens to be a resident of Oak Hills which is right next to the camp and I think he was quoting a study, as I heard him saying, he's quoting a study that Mr. Bowman did for-- in a Southampton town cell case."

William Rowe: "And the birds are not affected even though--"

Councilman Kent: "They claim-- he was talking-- I think he was referring to-- I think he referred to migratory birds. I'm just trying to make the record, not that I'm supporting him or anything. I'm just trying to be accurate with what he stated, so we don't keep

this going back and forth."

Supervisor Villella: "Okay."

William Rowe: "Just to-- the bottom line of this whole thing is that he's tell us we need it, we need it, we need it. That there's a gap in communication up there and I can't help but keep saying, I've got not problem with my Bell Atlantic mobile phone right there. So, you know, that's it."

Supervisor Villella: "Okay, Bill. All right."

William Rowe: "Thank you."

Supervisor Villella: "That's it. We're going to-- all right. Just make it quick. Go ahead, because we've got four more public hearings."

Ephraim Horowitz: "I'm sorry. Just one minute. I've been asked-- specific thing with reference to Mr. DePece's comments. Right after we-- "

Councilman Kent: "Can you please just state your name?"

Supervisor Villella: "State your name again."

Ephraim Horowitz: "Ephraim Horowitz. When we got the notice, a bunch of us went over to the Boy Scout camp and we met with (inaudible), the director of the camp. And he showed us the site and we asked him what's the motivation for this. You guys need the money? And he's like no, no, no. We're not in any dire financial need. This is just like icing on the cake. And later on a bunch of us called Ken DePece and, you know, we spoke to him about it and what he told us is that it's true, they don't really need the money. It's not a question of dire financial straits that anybody is in and there are four or five people here tonight who had similar conversations with these few people. But the one thing that they made clear when we said, you know, well, the camp's been here for 75 years, the Boy Scouts have been the stewards and the guardians of this property and he pretty much stopped me dead and he said no, we're not the stewards and the guardians of the property. We're the Boy Scouts, we're going to use it the way that we want and we'll develop it the way that we want. Our conversation got very testy at about that point."

So, he was here tonight and he gave a very nice presentation but there are residents of Riverhead who have spoken with him previously where were felt that he's give us the short trip and we're not really sure what his ultimate plans for development are. I think the suggestion for the development rights is an excellent one and I urge you to try to pursue that with all possible speed. Thank you very much."

Supervisor Villella: "Okay. That's it. We're going to keep it open for December 7th, three weeks from now for written comments only."

Public Hearing left open to December 7, 1999

Public Hearing opened: 9:00 p.m.

Supervisor Villella: "Let the record show the time of 9:00 has arrived. Would you please read the public hearing, Barbara?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 7:05 p.m. on November 16, 1999 regarding the consideration of the merits of the draft environmental impact statement in support of the change of zone petition and special permit petitions of the Riverhead Center LLC, to allow the construction of a 395,000 square foot destination commercial center located at the northeast corner of Route 58 and Mill Road, Riverhead."

Supervisor Villella: "Thank you, Barbara."

Dr. Ron Abrams: "Thank you, Members of the Board. Good evening. Dr. Ron Abrams, of Drew Association (phonetic). We prepared the draft supplemental environmental impact statement on Riverhead Center which was submitted to address the SEQRA issues for topics that were subject to change since the 1996 EIS process. This draft supplemental environmental impact statement explains in reduced scale layout the aesthetics of the Center as redesigned and land use and zoning classifications that are proposed. Then the DEIS follows the town scoping letter by addressing the potential significant environmental impacts that were not addressed in the 1996 EIS which were in the category of transporation for which new traffic data were collected and analyzed, the issues revolving around the traffic flow

along CR 58 and Mill Road. And the significance was analyzed to the commercial community of adding a destination retail center to the CR 58 corridor and its relation to the greater Riverhead area.

Those are the matters that were required under scoping. They are presented to you in the DFEIS and thank you."

Supervisor Villella: "Thank you, Ron. Anyone else like to speak on this public hearing?"

John Chirelli: "Good evening, Mr. Supervisor, Members of the Town Board. My name is John Chirelli, an attorney who represents North Fork Environmental Council, Mr. and Mrs. Chezny (phonetic) who own Paints Plus, Henry Miller a resident of the residential community immediately adjacent to the applicant's site, Griffing Hardware and Revco Electrical Supply.

We have commented in July to the environmental issues raised by this project. The supplemental environmental statement is essentially the same. Our comments are pertinent to that as well.

The position of our clients with respect to the environmental impact at this site is essentially that the town code permits development of approximately 325,000 square feet where the applicant is requesting 395,000 square feet. 325,000 is sufficient to build a commercial center that's responsive to the needs which the applicant suggests are desired by the residents of the Town of Riverhead, and there is no reason that has been articulated so far to increase the size of the development.

The problem with increasing the size of the development as proposed is that parking variances will be required. This is not-- this is our contention with respect to the provisions of the town code, is also an observation made by the Planning Department when it reviewed this application and it said in its resolution of November 4th that the applicant will need parking variances as well as side yard variances and that observation and the reality in the code that parking variances are required makes this exercise tonight an exercise in futility because the code provides that a special permit application can't be even entertained until the applicant has been to the Board of Zoning Appeals to attain the variances that are necessary to complete this project.

And those variances are among other things, to reduce the size of

the parking spaces (inaudible) as provided by the code, to 19, 10 by 19 or 9 by 19 to reduce the number of parking spaces required because the overlap provision relied on by the applicant does not permit an overlap in this particular case because we are not talking about peak periods, we are talking about periods of operation and I direct you-- respectfully refer you to the provision of the code which speaks to hours of operation and not peak periods.

And the variances concerning the number of uses on the site as well as the variances concerning the sideyard setbacks presented by the industrial lot which is to be subdivided from the premises.

All of these variances have to be addressed before the special permit application can be entertained. All of these variances will have an impact-- will have an impact, if you will, on the environmental impact of the site and should be addressed before this project is being presented to you for your review. And one of the problems is that the code does not permit increasing the size of the site beyond the 15% allowable at 325,000 square feet if a parking variance is required. That's a specific requirement of the special permit application so that the applicant is prohibited by the Town code for asking-- from asking for increased development if it needs a parking variance.

If the applicant says now I do not-- we do not need a parking variance. We can use all of the proposed buffer zones to accommodate the increased parking and that all you're doing is requesting us to pave more of the site than we would ordinarily have to pave, I direct your attention to the provision of the special permit regulations that requires you to find that there are adequate buffers provided to protect the adjacent community, such as the residential community which is immediately adjacent from the impacts of the site so that if the buffers are substantially removed, the environmental impact on this site will change.

So for all of those reasons I urge you to wait until the variances are obtained, direct the applicant to obtain the variances and then review the site when the code is complied with in terms of environmental impact. Thank you."

Supervisor Villedella: "Thanks, John. Anyone else like to speak on this? Charlie?"

Charles Cetas: "Charles Cetas, Vice-President of the North Fork

Environmental Council and I am also a Riverhead resident living in Riverhead. Just want to say that it is the position of the North Fork Environmental Council that the application by Riverhead Center for a zone change and special permits are illegal for the reasons that John Chirelli, our attorney, just told you and that the town should cease consideration of this application at this time until these matters are addressed.

Also, this hearing is on the draft supplemental environmental impact statement which we feel this hearing really shouldn't even be held right now, but since it is-- "

Supervisor Villella: "Why shouldn't it be held?"

Charles Cetas: "-- I just wanted to make a couple of comments. One is that I believe-- "

Supervisor Villella: "Could I ask you a question? Why shouldn't this be held. This is a SEQRA process."

Charles Cetas: "I think you just told me that they-- you can't make an application-- "

Supervisor Villella: "No, this is the SEQRA, this is part of the SEQRA process. We're not going for a site plan or any of that right now. I don't understand why you're saying-- "

Charles Cetas: "You're hearing the application as part of the SEQRA process. I mean-- "

Supervisor Villella: "We didn't get to that part yet what you're talking about. We're just going through the first step of the SEQRA process right now, Charlie. But, continue. I just wanted to know why we were doing it wrong."

Charles Cetas: "Well, I think John just told you."

Supervisor Villella: "No, don't worry-- no, that's all right."

Councilman Kent: "No. I don't think he said us having a public hearing on the draft supplemental impact statement was wrong."

Councilman Kwasna: "I'd like to know who's paying John."

Councilman Kent: "Charlie, I don't think he said it was wrong for us to have a public hearing on the draft supplemental environmental impact statement."

Charles Cetas: "Well, I think what we are asking is that you postpone the hearing until after these issues are-- because you know we did file an Article 78 by asking that this hearing be-- "

Councilman Kent: "There was an application by order to show cause requesting certain relief that we-- nothing has been ordered staying us from-- "

Charles Cetas: "No. It hasn't been ordered yet but I'm saying in light of that litigation that maybe it would be wise for you to postpone the hearing."

Supervisor Villella: "No. John."

John Chirelli: "To respond very briefly. It's our contention that the town code required if variances are necessary that those variances be obtained from the Board of Zoning Appeals before a special permit application can be made so that since this application is premature it shouldn't be considered until the variances are obtained from the ZBA. And there are numerous-- in addition to the parking, there are other variances which are required like the number of uses on the site, the setbacks for the industrial building, and, well, that-- and there may be other sideyard variances depending on how the applicant approaches the parking requirements of the code. We contend that ultimately the parking variances-- variance which will prohibit the board from granting the increased development which will require them to reduce the development to what we feel is an adequate size in any event."

Charles Cetas: "Well, anyway, as I was saying, since you are holding this hearing, I do have a couple of comments to make. One is that I think you're going to be closing the hearing for written comment a little too soon. I think SEQRA regulations-- "

Supervisor Villella: "Who said we were-- wait-- where did you get that from?"

Councilman Kent: "Why are you discussing us closing? We haven't even discussed anything."

Supervisor Villella: "We didn't say anything about closing, Charlie."

Charles Cetas: "I'm just saying you have a notice-- you have a notice for a hearing with a final-- ending the comment period on the draft supplemental impact statement for November 25th. It's already been set in the notice it's going to be closing on November 25th. I'm saying the SEQRA regulations say that you have to hold the hearing open for at least 10 days after the SEQRA hearing has been held. So, you know, the 25th happens to be Thanksgiving Day, that's one thing, and the 10th day will be Friday. I assume Friday the Town Hall is going to be closed-- open, I just think it would be fair if you held the comment period on the draft environmental impact statement until-- "

Supervisor Villella: "It doesn't have a date, Charlie."

Barbara Grattan: "It doesn't have a date, Charlie."

Charles Cetas: "Huh?"

Barbara Grattan: "It doesn't have a date."

Charles Cetas: "I've got it right here what I'm talking about."

Supervisor Villella: "You've got something different from the papers then."

Barbara Grattan: "The public hearing on the draft FEIS will be held November 16th at 7:05 p.m. at Town Hall."

Supervisor Villella: "Right."

Barbara Grattan: "Wait a minute. A draft supplemental environmental impact statement has been completed and accepted by the Riverhead Town Board as lead agency for the proposed action described below. Comments on the draft FEIS as requested and will be accepted by the contact person until November 25, 1999. Now-- "

Supervisor Villella: "We can continue to December 7th."

Charles Cetas: "I think so, yes."

Councilman Kent: "Is it 10 days from the date of the notice or

10 days from the date of the hearing? Which is it?"

Charles Cetas: "10 days from the hearing."

Supervisor Villella: "Rick."

Richard Hanley: "10 days from the close of the hearing."

Charles Cetas: "10 days from the date-- from today?"

Councilman Kent: "If we close it today."

Charles Cetas: "You can't close it today."

Councilman Kent: "No, you just said that. You just said 10 days from the close of the hearing, which is today."

Charles Cetas: "Today."

Councilman Kent: "Okay, so just that-- "

Charles Cetas: "From the public hearing."

Supervisor Villella: "Thanks for the confusion, Charlie."

Councilman Kent: "He cleared it up."

Charles Cetas: "I'm not confused. I know what I'm talking about. I'm just saying the period for written comments should be kept open until at least 10 days after today, after the public verbal hearing."

Supervisor Villella: "Okay."

Councilman Kent: "If we close it today. If we keep it open, it can be 10 days from the day we close the hearing. Okay. That's what I said to you when you were here and you disagreed with me."

Charles Cetas: "Well, I'm saying is-- let me get my-- "

Councilman Kent: "Please don't."

Supervisor Villella: "No, that's all right, Charlie."

Councilman Lull: "The hearing closes, it continues until the 25th at which point there's 10 days."

Councilman Kent: "It's 10 days-- "

Councilman Lull: "At which point there's 10 days after that."

Councilman Kent: "No, no, no."

Charles Cetas: "Here's the pertinent regulation I was talking about, okay. It's 617.9 (4)-- I just want to make sure we got-- you know, what the certain date is that we can submit comments, that's all."

Supervisor Villella: "You can submit comments."

Charles Cetas: "Let me just read it. It's a short thing. Comments will be received and considered by the lead agency for no less than 30 calendar days from the first filing and circulation of the notice of completion or no less than 10 calendar days following a public hearing at which the environmental impacts of the proposed action are considered, whichever is later. This is the hearing on the draft environmental impact statement. So all I'm saying is you are going to leave this hearing open for an indeterminate time or-- "

Supervisor Villella: "Well, after we hear from you, we can make a decision."

Charles Cetas: "If you decide to close the hearing for verbal comments then you have to have at least a 10 day written comment period following today."

Councilman Lull: "That's what it said, Charlie. We close the hearing as of November 25th. Following that, there's a 10 day period. And that's-- "

Charles Cetas: "You are going to have 10 days after November 25th."

Councilman Lull: "Well, it's required."

Charles Cetas: "Well, the notice said for written comments until November 25th."

Supervisor Villella: "That's something we'll decide on, you're right."

Councilman Kent: "We will comply with the law."

Charles Cetas: "Okay."

Councilman Kent: "Does that satisfy you? Okay."

Charles Cetas: "I just want to know, you know, how long we've got to submit comments, that's all."

Councilman Kent: "We'll make sure it's 10 days from the day we close the public hearing."

Supervisor Villella: "So let's close the public hearing."

Charles Cetas: "You don't know when that's going to be yet?"

Councilman Kent: "No."

Councilman Lull: "Let's close the public hearing tonight."

Charles Cetas: "Well, I guess you'll let us know."

Councilman Kent: "We will make a declaration."

Charles Cetas: "All right. Well, anyway, I just have a couple of comments that I do want to make on the supplemental impact statement. One is that I don't think they've proved their case that we need more general business zoning in the town of Riverhead and on page 47 of their supplemental impact statement, they've got a little bar graph and it shows the trends for shopping center vacancies in Suffolk County and the town of Riverhead. In 1978, during a I think what we all remember as not very good economic times, it was roughly 15%. In 1982, it went down to oh about 5%. In '88, it went up to, not talking about the town of Riverhead, it went up to almost 8%, just under 8%. 1990, it stayed about the same, just under 8%. In 1996, (inaudible) to about 17% and 1999 when we're having the most expansive economic expansion in the country since-- probably World War II, it's 17%. Higher than it was in 1978. So I don't know how they can say they've proved that we need more shopping center zoning in Riverhead when they've got this own bond graph in their draft impact statement."

Councilman Kent: "Can John talk more?"

Charles Cetas: "What's that?"

Supervisor Villella: "Who's on retainer? You or John?"

Charles Cetas: "I'm free. Second is I have a letter from Daniel Stone from the Suffolk County Archaeological Association on the archaeological significance of this property (inaudible), dated September 9, 1999. Presumably, the Riverhead (inaudible) is moving toward approval of construction. This is the last chance to do the right thing, whether the site reports cultural resources are destroyed by development. The archaeological report by Dr. Robert Miller was woefully inadequate. If the town planners had professional expertise and/or consultants as East Hampton and some other towns do, this would have been caught and the report or the environmental impact statement, not accepted. The site is very sensitive with ponds nearby and these are the wetlands that are on adjacent property such as Riverhead Landing apartments are on, in the middle of drainages running from Middle Road to the Peconic River. And less than a mile from a rare (inaudible) point, earliest appeared native life circa 10,000 to 12,000 years ago. It was a prehistoric find, excavated off of Middle Road. Miller did not address or downplay this evidence of sensitivity.

In future, the town should not accept the archaeological survey (inaudible) the environmental impact statement unless it's prepared-- is a member of professional archaeologists. (Inaudible) is the abbreviation. (Inaudible) will take action against an archaeologist where substandard work is reported to it. Unfortunately the site has had extensive earth moving in preparation for development but some of the most notable American (inaudible) have been found on the (inaudible) in so called disturbed soil. So we should never assume nothing is there. We ask the town to provide stewardship of this sensitive site by requiring the developer (inaudible) qualified archaeologist at the site to monitor excavation as it occurs. With the authority to describe the excavation site off bound, this will not cost the developer a great deal. The developer, (inaudible), a deductible business expenses and will demonstrate that the town cares about its cultural resources and its history.

The third point I want to (inaudible) is I don't think they gave a thorough review of the potential alternative to the proposed project of 395,000 square feet. Of course, John proposed one alternative

which is (inaudible) what the town zoning ordinance calls for-- 325,000 square foot shopping center if, in fact, they, you know, are able to get the property zoned for general business. And since this general business zoning only allows two uses, one of the uses that they're proposing which I think is the only one that we really need, is a movie theater in town. So you could have a movie theater plus shopping, I guess, or have some shopping-- a movie theater plus restaurant. Movie theater, I think, may be a recreational facility, a multi-activity recreational facility would be appropriate for this site.

I think it's been discussed at some of our master plan meetings that people are in favor of a centralized, multi-activity recreational facility. So I think to have movie theater and recreation, I think, would be good combination. I think even one of the planners that was hired by the town said a movie theater and bowling alley is a good idea. So, you know, there's other alternatives and, you know, speaking of movie theaters, I'm in favor of a movie theater downtown. We've got Swezey's, you know, getting ready to build a new store, I believe, I assume they're still planning to do that, right? We have some assurance that they are, in fact, going to build a new store or not? Have they submitted a site plan yet?"

Supervisor Villella: "They spent a lot of money knocking that building down, saved the town \$470,000, so I'm happy for that."

Charles Cetas: "My comment is since Swezey is planning to move to a new building-- they're going to build on top of an old foundation-- that they will be vacating some space downtown that could possibly be a theater, a small movie theater. The Woolworth building is one or the-- the Woolworth building might be something-- "

Supervisor Villella: "Charlie, were you here for the Pirates?"

Charles Cetas: "Huh?"

Supervisor Villella: "Were you here for the pirates? No, because the reason why-- the whole idea-- no, no, no, please. No, Riverhead Theater Group is-- they're in the process now-- we're giving them a lease for the Suffolk Theater so there will be a movie theater for downtown."

Charles Cetas: "Yes. Well, I'm just saying that since Swezey's is planning to vacate a building that's adjacent to the Suffolk

Theater, you can either use the old Woolworth building turning it into maybe a couple screen movie theater, or knock it down and put up an addition to the theater."

Councilman Cardinale: "Charlie, these ideas are so good that first Mr. Cuddy would like to discuss buying the Riverhead Center with you and, secondly, have you considered going into development? No, they're very inspired ideas. But-- "

Charles Cetas: "Anyway just some possibilities I think that may (inaudible). Thank you."

Supervisor Villella: "Thank you, Charlie."

Richard Amper: "Richard Amper, Long Island Pine Barrens Society. I can't imagine how you can be so cynical about such an astute observer of the scene here in Riverhead as Mr. Cetas has worked very, very hard to advance this especially when you've heard again tonight from Rob Abrams who has given you the same astute advice on Riverhead Center that he gave you on Traditional Links. At some point, I think we're all going to appreciate each other equally much. Thank you very much."

Councilman Cardinale: "Thank you."

Supervisor Villella: "No, no, no. Okay, all right. Anyone else like to speak on this public hearing? Charlie?"

Charles Cuddy: "Charles Cuddy for the applicant. I'm not going to debate with Mr. Chirelli or Mr. Cetas. This has been going on for a long time. The Board has before it, I think, an appropriate DSEIS. I would simply ask that you close the hearing, that you follow the law, and see that it's 10 days and the 26th would be fine with us for comment period. Thank you."

Supervisor Villella: "You're welcome, Charlie. Close to my heart. Anyone else like to speak on this public hearing? No? All right. We might as well close it tonight and make Charlie happy."

Councilman Kent: "Is that it? Nobody else wants to speak on this?"

Supervisor Villella: "No, no one else wants to speak on it. It's not controversial, I guess."

Councilman Kent: "The applicant doesn't need to say anything."

Councilman Cardinale: "We should expand the comment period to the 26th."

Supervisor Villella: "Right. The comment period has to be expanded to the 26th as Charlie said."

Councilman Kent: "I think-- I move that we expand it to November 29th, Monday."

Supervisor Villella: "All right. The 26th is Friday?"

Councilman Kent: "Yes, that's the Friday after Thanksgiving. I'd like to move it to the 29th."

Supervisor Villella: "Yeah, no one's here anyway. We'll do it on Monday. Monday's fine. All right. We'll keep it open. 9:30-- 9:28. We're not keeping it open. The comment period only and the time is 9:28 and I declare the public hearing closed-- on the 29th."

Councilman Kent: "Written comments will be accepted until 5:00 p.m. on November 29th."

Supervisor Villella: "Chris will be here to field all answers-- questions."

Councilman Kent: "I'll field the answers, too, if you want to provide them. I don't have any."

Councilman Cardinale: "We have a third hearing."

Public Hearing closed: 9:28 p.m.

Public Hearing opened: 9:28 p.m.

Supervisor Villella: "Okay. No, we have two more. Here we go. The time-- let the record show the time of 9:28 has arrived. Can you please read the public hearing, Barbara?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell

Avenue, Riverhead, New York at 7:15 p.m. on November 16, 1999, the consideration of the establishment and operation of an individualized residential alternative (IRA) at 81 High Hill Road, Wading River."

Supervisor Villella: "Thank you, Barbara. Anyone like to speak-- yes?"

Tom Trakal: "Good evening. My name is Tom Trakal. I'm the Director of Programs for the Independent Home (inaudible) Program located in East Moriches, New York. With me is Dr. Barbara (inaudible). She's the director of the rental services-- "

Barbara Grattan: "Excuse me, Tom. Could I have your last name again?"

Tom Trakal: "Yeah, Trakal. T-R-A-K-A-L. On behalf of IGHL, I'd just like to thank the Board for inviting IGHL to speak on behalf of this proposed home. Our program tonight will be two part - Barbara will speak a little bit about the history of IGHL and the services that we provide and I'll speak more specifically about the specific home that we propose to the Board for this hearing."

Dr. Barbara Crenshaw: "I just want to say my name is Dr. Barbara Crenshaw and I'm director of clinic services. IGHL is a not-for-profit organization that services developmentally disabled individuals for the last 21 years. We started with our first group home in Mt. Sinai in 1978 and that was for eight individuals who have previously lived at the Willowbrook State School.

During the '80's and '90's, we increased our residential services significantly and we now have 30 group homes throughout Long Island. We go as far west as Nesconset and as far east on the south shore as Southampton and on the north shore, Southold.

Along with the residential programs that we run, we also run two day treatment programs, one in East Moriches and one in Southampton. And those programs service 300 individuals. We have three small day habilitation programs that are located in local communities and the individuals that attend those programs basically volunteer in the community cleaning up parks, doing soup kitchen work, and, you know, all kinds of volunteer things that are available.

We run a school which provides free pre-school education for children. We also have a family service program for over 400 families

in the community who have developmentally disabled children and we have two respite houses where parents can leave their kids for vacations and, you know, if they have weddings and things like that. We also provide in home respite where parents can have help from our staff to help with their children doing activities of daily living.

We also run our own transportation company which services 480 individuals which we take to their day programs daily. And Tom's going to talk a little bit about the house itself."

Supervisor Villella: "Okay. Thank you."

Tom Trakal: "I'd like to start out by providing some basic information about the consumers or the individuals that are going to be living within this home. The home will serve five developmentally disabled individuals who function in a moderate range of mental retardation. Their ages are 25 to 35 years old. Four of these individuals are currently living in Suffolk County with family and the fifth is in Nassau County. These towns include East Moriches, Nesconset, Center Moriches, Hampton Bays, and Bellmore.

I think it's important to note that all these individuals and their families are known to IGHL for many years and are currently being served with out day treatment and family services programs Barbara had spoken about. These families have requested that IGHL become a residential provider-- "

Councilman Cardinale: "What does IGHL stand for?"

Councilman Kent: "Independent Group Home Living."

Tom Trakal: "-- they are very secure in the type of service we have provided over the years and they are very hopeful at this point that this site will be approved. It is our firm belief that with the correct supervision and oversight that these young men would be outstanding members of the community and a credit to the community.

I'd like to speak a little bit about the operation of the home. On a typical day, the morning staff would be available to ensure that the individuals get up, that they have breakfast, that they bathe and that they're out on time ready for the bus to pick them up which would take them to their day programs. As I said these individuals go to IGHL day programs. We also provide the transportation to and from the home to work.

The individuals would leave the home at approximately 7:00 a.m. and would return in the afternoon at 4:00 p.m. or thereabouts. The evening staff would obviously be there to receive them and help with meal preparation, household chores, and basically prepare them for the next day. The home would have 24 hour awake supervision which we train thoroughly. We also have on site management to manage the day to day affairs of that program.

On weekends and evenings, the house will certainly use all the local resources including parks, beaches, restaurants, places of worship, etc. The home will have a vehicle, an 8 passenger van that will provide transportation to and from these activities.

I think it's important to note that these individuals although they are moderately retarded, will need supervision for all their daily activities and will be supervised in all community settings.

If approved by the town, IGHL will then go ahead and purchase the home obviously and we do intend to complete some renovations to that home both on the interior and the exterior. These include vinyl siding and some replacement windows. If the roof is very old, we replace that. We repave the driveway and expand it not significantly or just to provide some additional parking so there's no parking on the street for our staff. By regulation we need to install a fire alarm system, we would do that. We upgrade carpeting-- carpeting the floors, kitchen cabinets and some things inside the house, although the house is generally in excellent repair. We intend to landscape the exterior just to maintain the (inaudible). It's top quality so it's a credit to the community.

We will not be expanding the square footage of this home in any way.

I'd just like to open up for questions you might have or anyone in the community and answer those as best we can."

Supervisor Villella: "Okay, thank you very much. Anyone else like to speak on this before you have any questions? Sid?"

Sid Bail: "Good evening."

Supervisor Villella: "Good evening, Sid."

Sid Bail: "Say about cell towers, shopping centers-- "

Supervisor Villella: "How about pirates?"

Sid Bail: "Sid Bail, President of the Wading River Civic Association. I was interested in this project because there's always a certain amount of concern in the community when you hear about this facility because the only way it's described in a public notice is-- there's very little description of it. It just says residential facility. I am familiar with some of the activities of IGHL and I realize that you do have a good track record.

You mentioned other homes. Do you have any other facilities in Wading River? I'm not aware of any. All right."

Councilman Kent: "Can I ask a question relating to that since we're on the topic?"

Sid Bail: "Yes."

Councilman Kent: "Are there any other types of group-- any other group homes in the area, not just yours that you're aware of? By any agency."

Tom Trakal: "Yes. Little Flower Services has several group homes-- "

Councilman Kent: "That serves a different community though. I mean a different type of individuals."

Tom Trakal: "Not that I'm aware of, no."

Councilman Kent: "Oh, Little Flower also serves developmentally disabled-- "

Tom Trakal: "Yes, Little Flower has some homes for developmentally disabled in that area."

Councilman Kent: "Okay."

Adam Grossman: "And in this regard I just want to put something-- "

Councilman Kent: "Hold on, hold on, hold on. We don't talk from the audience like that. If you want to speak, come to the microphone."

Adam Grossman: "I just wanted to add something to the record for the people who are here for this public hearing on tonight. Although we're having a public hearing in connection with this particular proposal that is for this facility to be located at 81 High Hill Road in Wading River, there is numerous federal law on the subject in terms of the issue of the ability of a municipality to say no to a particular facility of this type. Okay. Federal law very strictly prohibits the ability of a municipality including the town to be able to reject an application of this kind. The only basis upon which this type of application could be rejected by the town of Riverhead is if there were so many facilities of the same type in the area as to have a cluster. Okay. And only if there was another site that would be more suitable based on a clustering of essentially identical facilities within a very small area. That is the only basis in law-- based on federal law-- that the town of Riverhead can reject this particular application. I want the people who are here at this public hearing tonight to understand that.

We are having the public hearing tonight because I believe the Town Board wanted people in the community to know about this particular proposal. However, the town-- this is not the same as a special permit-- this is not the same as a change of zone. The town of Riverhead's ability to control whether this facility goes at this location or not is in question under the circumstances. And I wanted to make sure everyone who is here tonight understands that. Thank you."

Sid Bail: "I'd just like to clarify that I'm not here in the roll of being against this proposal. And I think the point that Councilman Kent-- the question he raised is a question that I have. I don't know the number of facilities that already in-- and I don't know what even the definition is of saturation is. You know, I don't want to equate this with not in my backyard or anything like that. But does the town have any idea if there are other facilities, other than Little Flower, because I'm under the impression on Hulse Landing Road there are a couple of residential facilities-- there have been."

Councilman Kent: "That information is, I believe, available to independent group home. I think there was a printout that was provided to the town at some point."

Supervisor Villella: "We have a printout."

Councilman Lull: "Yeah, when we got the letters, Sid, we also

got a printout. I did to an analysis-- "

Councilman Kent: "Do you have that with you tonight?"

Councilman Lull: "Yeah, I think so. I did do an analysis of what there was in the Town of Riverhead and how many there were. It's much less significant than you might believe."

Sid Bail: "Well, I'm not implying that-- "

Councilman Lull: "Yes, but on the other hand it would be a wise idea for the average person to have that available."

Councilman Kent: "I think the reason I was asking that question I was asking before, I was hoping that the applicant would submit documents to the Clerk as part of the record of this public hearing to establish the number of similar facilities in the Wading River community. And I think that's an-- that's basically the only issue upon which a jurisdiction such as a town or a zoning jurisdiction municipality can prevent or deny an applicant who comes before with an application such as this type."

Sid Bail: "And, yeah, I think that's an excellent idea."

Councilman Kent: "So if he could submit that, that's what I was-- "

Sid Bail: "Yes. If they are to come into the community, I wish them the best of luck, you know. We will certainly cooperate with them in any way possible. But I would like to have an idea of what is actually in this community, already in the community."

Councilman Kent: "I was wondering if you had that information with you tonight, could you submit it to the Town Clerk and make it part of the record? Bring it up."

Tom Trakal: "Yeah, the Suffolk County Council does a clearinghouse report which-- "

Councilman Kent: "I'm familiar with that."

Tom Trakal: "Which has all the information (inaudible)."

Councilman Kent: "Okay. I have a couple other questions if you

could return to the microphone. Do you know how many bedrooms are in the residence now and how many you propose to have in the residence?"

Tom Trakal: "There are three bedrooms in the home and it will remain three. There are five individuals living there. Obviously one will have their own bedroom and there will be two doubles."

Councilman Kent: "Okay. And bathrooms?"

Tom Trakal: "There are two bathrooms in that home."

Councilman Kent: "You talked-- oh, there is a private van, you said, an eight passenger van?"

Tom Trakal: "There will be an eight passenger van (inaudible)."

Supervisor Villella: "They always have vans."

Councilman Kent: "Okay."

Supervisor Villella: "Is there any other questions?"

Councilman Kent: "You're not depending upon public transportation as other applicants have come to us saying they will depend upon public transportation."

Tom Trakal: "That wouldn't be appropriate."

Councilman Kent: "I know. Okay."

Supervisor Villella: "They have their own vans and everything. Anyone else like to speak on this? Yes."

Bob Strovick: "Bob Strovick from Wading River. I'm not part of the (inaudible) but I would like to mention concern about questions-- the AHRC while is in Brookhaven is directly opposite the Shoreham Wading River High School, there's a tremendous population (inaudible)."

Supervisor Villella: "Thank you."

Councilman Kent: "Is that a residential facility? That is."

Supervisor Villella: "Yes, that's where the (inaudible)."

Councilman Kent: "Do you want to close it? Leave it open for written comment, I guess, until Friday."

Supervisor Villella: "Leave it open-- Eddie."

Ed Densieski: "Ed Densieski, Riverhead. Is this the same group of homes that's on 425 Middle Road? It's not. Okay, is that a similar situation. Okay, if it's the same thing that's at 425 Middle Road, my father's directly across the street. They make tremendous neighbors. They keep the house in good order. The people are very friendly and they'd be a welcome neighbor in my neighborhood. I don't know if they're the same association or not-- "

Councilman Kent: "I believe that might be aid to developmentally-- "

Supervisor Villella: "That's ADD. IGHL, AHRC, they all do it."

Ed Densieski: "Okay. I'm not sure if they're similar or not but they are tremendous neighbors and they are wonderful people."

Supervisor Villella: "Thanks, Ed."

Councilman Kent: "Does anybody else want to speak on this?"

Supervisor Villella: "No one else? Okay. We're going to leave the public comments to Friday-- will be fine, 5:00."

Councilman Kent: "Mr. Strovick, did you want to speak again?"

Supervisor Villella: "Yes, please."

Bob Strovick: "I just have one major concern. In every newspaper that I open up, it has help wanted ads and they're invariably calling for staffers for these facilities. Can you assure that you have a full staff all the time at this home?"

Tom Trakal: "The employment situation certainly on Long Island is very difficult at this point but we have-- we will give you our assurance that there will be adequate staffing at all times. That there-- we'll establish minimal numbers of staffing that need to be on site and we have mechanisms if there is staff out-- make sure there's appropriate-- "

Supervisor Villella: "But you have to do that by state law, anyway."

Tom Trakal: "We do that just general practice."

Supervisor Villella: "Right, I know, but it's mandated that you-- "

Tom Trakal: (Inaudible).

Supervisor Villella: "Okay, so we'll keep it open-- I can close it though, right. The time is 9:45. I declare the public hearing closed."

Public Hearing closed: 9:45 p.m.

Public Hearing opened: 9:45 p.m.

Supervisor Villella: "Okay, the next one. Let the record show the time of 9:45 has arrived. Can you please read the public hearing, Barbara?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 7:20 p.m. on November 16, 1999 regarding the consideration of a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled Vehicles and Traffic. Street area is County Road 58, side, both, location from the Doctor's Path intersection to 600 feet west. Street area Route 25, side, both, location from the Doctor's Path intersection to 840 feet east. Street area Doctor's Path, side, both, location New York State Route 25 to 600 feet north. Street area New York State Route 25, side, both, location from County Road 58 to 350 feet south."

Councilman Kent: "Thank you, Barbara. Would anybody like to speak on this public hearing? Anybody like to speak on this public hearing regarding stop signs? No parking signs, excuse me. If there is nobody who would like to speak on it, then I would like to declare this public hearing to be closed. Everybody agree with that? So let the record reflect that the time is 9:46 and this public hearing is closed."

Public Hearing closed: 9:46 p.m.

Councilman Kwasna: "All right, Chris. Before you go into public comment we have two add on-- "

Councilman Kent: "I do have two add on resolutions. Did you discuss the one on the \$34,000 in serial bonds, Mark?"

Councilman Kwasna: "That was the urban renewal in Millbrook Gables. We originally went out for a bond for \$30,000 to purchase a property and tear the property down in Millbrook Gables. The price came in a little bit higher than we thought it was so we have to go out for a bond for \$34,000 rather than for \$30,000 and that's what that add on resolution is. And the other one?"

Councilman Kent: "The other one is an adoption of a capital project budget for cleaning up 346 Maple Avenue under Chapter 96 of the Town code. That's a really bad location where they've had numerous tenants living in a single family home, so that's the other resolution. That would be Resolution 1055, I guess. The other one would be Resolution 1054.

Does anybody like at this time to speak on any resolutions that are subject of a vote tonight? Public comment, Sal."

Councilman Cardinale: "Yeah, we've got a couple people. Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. First of all, you have two resolutions that are exactly the same."

Councilman Kent: "Yes. I know. I was going to move to withdraw Resolution 1046 which is identical to a prior resolution. Yeah, 1030."

Sal Mastropolo: "Okay. On 1030, that was at a public hearing, I guess two weeks ago, and both Rolph and I brought up concerns about putting stop signs on Wading River Manor Road. Nobody spoke in favor of it at the public hearing but yet it looks like you are going to pass a resolution to put stop signs on Wading River Manor Road entrance from north and south. I can understand putting stop signs on Benjamin Street coming out."

Councilman Kent: "I have-- "

Sal Mastropolo: "Is that a mistake or-- "

Councilman Lull: "It's not a mistake, Sal. We didn't have-- I haven't-- I don't remember having spoken about this at a work session but I have two problems with that resolution. Maybe we can talk about it and withdraw it for next time. First of all, the fact that it does have stop signs on Wading River Manor Road which I think is an unfortunate choice of things to do especially in one particular place where it's going to create sight line problem. The other one is the four-way stop sign at Timothy Lane and High Meadow Lane which I think we need to research more. So I would prefer-- I would-- if anyone doesn't have any serious objections, I'd like to when we get to that one, to table that one-- "

Councilman Kent: "Table it?"

Councilman Lull: "-- until we have a chance to talk about it."

Councilman Kent: "Okay. Anything else, Sal?"

Sal Mastropolo: "Yeah, one other thing. Resolution 1019 talks to temporary sign permit, okay. On a temporary sign permit you definitely give, okay, a stop date as to when the sign has to come down. Okay. So temporary for a sign is up until a certain time."

Councilman Kent: "Yeah, January 3rd."

Sal Mastropolo: "Okay."

Councilman Kent: "It's in the resolution."

Sal Mastropolo: "Now, if temporary is so important on a sign permit, then how come on 1040 where you're approving a site plan for greenhouses, 10 greenhouses, temporary is no end date, it's temporary for greenhouses?"

Councilman Kent: "Because that's a-- we've discussed this several times. That's a New York State building code and as long as they don't put a continuous footing, the agricultural-- the Ag and Markets Law exempts them from being permanent structures."

Sal Mastropolo: "Yeah, but I thought this was-- "

Councilman Kent: "It's a different use of the word temporary. Rather than being a permanent structure they're considered a temporary structure. And that's just by definition under State law. We've discussed this ad nauseam."

Sal Mastropolo: "I know. Adam has discussed-- there was an article in the paper about it and I thought the town was going to come up with some kind of a plan to address this in the long term but yet we seem to be constantly approving temporary greenhouses."

Councilman Kent: "Because the agricultural community constantly makes application for them and I don't think we really have the grounds to deny them especially this one which is an agriculturally zoned piece of property. It doesn't even require special permit."

Sal Mastropolo: "Okay. Thank you."

Councilman Kent: "Okay. We're in a farming community, Sal. And I think we try to work with our farmers. Yes? Did you guys want to speak on that?"

Joan Griffin: "Good evening. I'm Joan Griffing from Baiting Hollow? Resolution #20 calls a public hearing on designation of Island Water Park."

Councilman Lull: "We are not holding that hearing tonight. As a matter of fact, we're not holding the Community Development meeting but that hearing when it does take place will a hearing for the designation of that piece of property. That group has potential purchasers of a piece of property on the Grumman piece."

Councilman Kent: "This is at the Grumman property."

Councilman Lull: "The Grumman site."

Joan Griffin: "A residential neighborhood-- "

Councilman Kent: "No."

Councilman Lull: "No."

Joan Griffin: "Thank you."

Councilman Kent: "Thank you."

Councilman Lull: "Their former piece has been sold."

Councilman Kent: "Anybody else want to speak on resolutions-- Bill?"

William Kasperovich: "William Kasperovich from Wading River. I'll make this as short as possible (inaudible). On Resolution 1020, demolition of a bad mistake by the then Town Board. When you think of the amount of time and effort you gentlemen put in on budget this afternoon that sometimes in the far past, the Town Board forgot to put in attendant in a public facility. And so having (inaudible) to operate the comfort station, they had to lock the doors. And the doors stayed locked since. Now this is a distinctly built structure. The (inaudible) is situated in an awkward angle but at the same time it's adjacent to commercial buildings and close to them, not in the middle of the park, the question is whether the town has exhausted all possibilities of converting this in some way or selling it to a commercial enterprise, alter the building by modifying or adding or in what manner it seems that it would be a shame to-- for a solid building to be demolished."

Councilman Kent: "Bill-- "

Councilman Lull: "Bill, let me-- "

Councilman Kent: "Yeah, one second. Bill, this resolution just posts it for public hearing and I think the comments you are making are very appropriate to be brought up at the public hearing. Not that I want to deny you your right to speak tonight, but you are limited to five minutes so if there are other topics you wanted to discuss, you might want to utilize your time on those. This is going to be the subject of a public hearing at another date. That's all we're doing, is setting the public hearing. So you might want to make your comments at the public hearing rather than tonight."

William Kasperovich: "Well, it would seem to me that the Town Board would have presence of mind to evaluate these considerations before coming to this point."

Councilman Lull: "Bill, yes, we are going to be having the public hearing and your questions about the possibility of that piece-- of that building being purchased by private entity is certainly something that could come up at the public hearing. And I would hope that it might. In fact, though, we evaluated that particular building

for use as a substation downtown and most recently this past year we evaluated it as a possibility of a headquarters for our downtown police and meter maids and so forth. It was not made handicap accessible when it was built. It has serious environmental problems. It looked to us like it was going to cost us probably between \$78 and \$100,000 to bring it up to code in which it could be used by our employees. As a result, it is not cost effective to do it. We did have both our own and outside engineers take a look at it. I still hope that something might come of it but as of right now we're asking for a public hearing to get public comment and further ideas about the building."

William Kasperovich: "All right. I'll wait for the public hearing although I see through the eyes of somebody sitting up at the podium how they would look at things compared to some guy chasing the almighty dollar-- want to build, modify or alter a structure which would put an enterprise of some sort. The alteration and modification would depend on how it was used and what it was used for which would not be through the eyes of a public official. All right, we'll leave that (inaudible).

I have-- well, the Tanger-- I'll have to look (inaudible). Resolution 1050 you talk about purchase of a generator for use by the town. (Inaudible) available through the Town Clerk's office, it certainly doesn't give any indication what you are generating-- are you generating something (inaudible)-- "

Councilman Kent: "Customarily we generate controversy, that's what we generate."

William Kasperovich: "All right. That (inaudible), you generate difficulties and generate problems."

Councilman Kent: "Now you're sounding like George Schmelzer."

Councilman Cardinale: "Whose absence we duly regret."

Councilman Kent: "Dick is sitting in his spot."

William Kasperovich: "Quite inadequate (inaudible). I thought I had a good man behind me, but maybe not. Resolution 1041-- "

Councilman Cardinale: "We're going backwards."

Councilman Kent: "He doesn't usually do that."

William Kasperovich: "Community Development Agency - Calverton. I didn't know we had any physical facility at Calverton for Community Development."

Councilman Kent: "Yes. The Grumman complex is Community Development property."

Councilman Kwasna: "It's owned by the CDA."

Councilman Kent: "And they're putting \$1,000 into landscaping."

William Kasperovich: "Well, again-- "

Councilman Kent: "Bill, you don't have much tonight."

William Kasperovich: "Are you going to go to court and change your name to Janoski?"

Councilman Kent: "No, never."

William Kasperovich: "No? Why are you so gung ho on five minutes?"

Councilman Kent: "I'm not gung ho on five minutes. I said you don't have a lot-- your comments tonight are very-- usually you're much more forceful on some topic. Tonight you-- "

William Kasperovich: "Because we have a lame duck town board and maybe on January the 2nd, I'll be more forceful than-- my choice of words will be a lot sharper. I'll get-- "

Councilman Kent: "Okay, I wasn't trying to limit you in any way, Bill, I was just making comment."

William Kasperovich: "What you do is get me rattled to where I forget to-- what I'm going to say."

Councilman Kent: "And I'm being successful at my intent."

William Kasperovich: "Well, you find your true flag now and when you run for re-election you know damn well you won't get mine."

Councilman Kent: "Okay. That may be good for me."

William Kasperovich: "Well, I might even run against you."

Councilman Kent: "That might even be better."

William Kasperovich: "And Resolution 1036, in one of your Whereas you write Whereas the sketch has been approved by three Board - Town Board members. Now if it's necessary to write this into the resolution, I think it would be equally required that these three members be spelled out. Certainly anybody that knows anything knows that three is a majority of five but when you spell it out in this manner I think it's incumbent upon Mr. Kwasna or Mr. Lull that those names be put into the resolution. The way I think open government is run. Otherwise it's not the way I see things. However, I'll leave that as is. Certainly the resolutions that bring things to a public hearing should be covered in all directions so that they don't have to be hassled with at the public hearing itself. And nobody comes in with a bombshell of something new and something unthought of but the people that come up here are paid experts in their field to try to convince you of some things. I don't think there's anybody as qualified as you gentlemen that have come here to convince you of something you don't want to do. They might show-- of your oversight or perhaps thinking completely true but before you bring to public post and publish and bring it into a public hearing, that it should be more thoroughly gone into."

Now at the going rate in the past five years or so it would seem that the work session is more important than the official Town Board meeting with the resolutions. Because these resolutions do not alter except for rare occasions. And so it becomes futile to stand up here and talk about your resolutions. Thank you."

Councilman Kent: "Thank you, Bill. And I'm sorry if I offended you in any way. I was just-- "

William Kasperovich: "Well, it seems to be a common practice with you."

Councilman Kent: "Bringing some levity, inserting a few raisins of humor in this tasteless dough of existence."

Supervisor Villella: "I have something before you go into-- there were two public hearings. Can we re-open the public hearings?"

The Andrews special permit application for a temporary greenhouse should be closed."

Councilman Cardinale: "Yeah, I thought we had closed it."

Supervisor Villella: "It should have been closed. We haven't closed it yet, have we?"

Councilman Cardinale: "All right, let's close it."

Supervisor Villella: "Okay. We've got to open up the public hearing. The time is 6 after 10."

Unidentified: (From the audience, inaudible)

Supervisor Villella: "Yes."

Councilman Kent: "Andrews?"

Supervisor Villella: "Yes, you can-- "

Councilman Kent: "The public hearing is open."

Supervisor Villella: "The public hearing is open-- "

Councilman Kent: "It continued actually from the prior Town Board meeting."

Supervisor Villella: "6 after 10."

Sherry Brycinski: "Just that-- Sherry Brycinski, Wading River. That-- apparently there were some conditions that were going to be put on those greenhouses?"

Supervisor Villella: "Yes."

Councilman Kent: "There are. There are some conditions."

Councilman Cardinale: "What number is that?"

Councilman Kent: "I'm looking for it right now-- 47."

Councilman Cardinale: "47."

Supervisor Villella: "All right, Sal."

Councilman Cardinale: "In regard to 1047-- "

Sherry Brycinski: "Mrs. Grattan, would you happen to know if the materials I submitted has been given out to the-- "

Barbara Grattan: "Yes, they were."

Sherry Brycinski: "Okay."

Councilman Cardinale: "In regard to 1047, I reviewed the conditions which were discussed at the work session and in number 2 I was going to suggest this prior to our considering the resolution but at number 2 on page 2, I am going to make a motion that if the amended-- "

Councilman Kent: "Why don't you read it. Why don't you read the whole-- "

Councilman Cardinale: "That it be amended to read that all runoff from as opposed to for existing as well as proposed greenhouses shall be maintained on said site with no runoff onto existing town roads. I'd like to add at that point, or neighboring properties. Because I think that was the understanding that we discussed at the meeting."

Sherry Brycinski: "So that just addresses greenhouses-- the fact that the greenhouses were taking up an area that the water that's on the farm coming off the farm and settle in that area, so you are just addressing the water from the greenhouses itself."

Councilman Cardinale: "Yeah, it addresses-- we're giving-- not only the-- but not only the greenhouses which are being approved-- which may be approved by the resolution, but also the existing greenhouses so that any runoff established by that-- any runoff emanating from those buildings will be addressed and the arbitor of this is supposed to be the Building Department Administrator, Leroy Barnes and if you have any concerns-- if this is passed and if you have any concerns, you should make certain that he hears about them."

Sherry Brycinski: "Okay. So it doesn't address any other runoff from the farm."

Councilman Lull: "Well, number 1 addresses-- Phil, you might want to-- "

Councilman Cardinale: "Yeah, number 1-- it's possible-- I', not sure what you mean by other runoffs, such as what?"

Sherry Brycinski: "Well, there's a topography map and an aerial view of the property and what it shows that (inaudible) is the low point (inaudible). So right behind my house-- that's where all the runoff from the farms and the greenhouse-- "

Councilman Cardinale: "Oh, you're saying any other runoff from the farm related to the temporary greenhouses."

Sherry Brycinski: "Well, they're all-- it's all combined. Because all runoff runs in the direction of my house."

Councilman Cardinale: "There was-- there is a letter that was required but the condition-- the wording of the condition simply says it shall be issued prior to submittal of documents-- it shall not be issued until the letter is received by us. And we received it already. I don't know if you've seen a copy of it. It's from the Soil Conservation-- US Department of Agriculture and Soil Conservation."

Sherry Brycinski: "Yes. I asked for that from him personally. He said he couldn't give it to me. I had to go to the Town Board or (inaudible). I was not allowed-- "

Councilman Cardinale: "All right. We received that on Tuesday and-- at the work session, and you should certainly have a copy of it."

Sherry Brycinski: "Well, I wasn't here at the work session."

Councilman Cardinale: "Okay."

Barbara Grattan: "Come to my office and I'll give you a copy."

Councilman Cardinale: "Yeah. And the idea there was that Mr. Barnes would accommodate their suggestions when he's reviewing the drainage problem in his review of Mr. Andrews' construction. That he would accommodate those suggestions, too. They did say to some extent that there's certain things that he can't do. You know, it's just not

within his purview. That which is within his purview, he's supposed to address."

Supervisor Villella: "There's certain things that he has to address."

Councilman Cardinale: "And if you don't have that letter, I have a copy and so does she."

Supervisor Villella: "Thank you. Sal, did you want to-- no."

Councilman Kent: "Anybody else on this?"

Supervisor Villella: "Anybody else on this public hearing?"

Councilman Kent: "I move that it be closed."

Supervisor Villella: "The time, 10 after 10. I declare the public hearing closed."

Public Hearing closed: 10:10 p.m.

Supervisor Villella: "Now we have a public-- we have to reopen the public hearing regarding the adoption of the 2000 budget. That has to be closed because we're voting on it tomorrow. So let the record show the time of 10 after 10 has arrived. The public hearing regarding the adoption of the budget 2000 is open. Is there any comments on that? If not, we declare the public hearing closed, 10 after 10."

Public Hearing closed: 10:10 p.m.

Supervisor Villella: "Thank you. So they're both closed."

Councilman Kent: "We're ready to go. Does anybody else want to speak on resolutions that are going to be considered tonight? That's it, everybody has spoken already so we're ready-- "

Supervisor Villella: "Charlie."

Charles Cetas: "I have to say on Resolution 1018 you're holding another hearing on Riverhead Center. I guess that's the hearing on the zone change."

Supervisor Villella: "That's for tonight."

Councilman Kent: "1018-- 1018 was the ratification of the Clerk's publishing of the notice for tonight."

Supervisor Villella: "For tonight."

Councilman Kent: "That was an oversight. We didn't do a resolution authorizing her to publish that notice for tonight."

Charles Cetas: "Oh."

Councilman Kwasna: "It's been published-- "

Councilman Lull: "It was published correctly, but we didn't give a resolution."

Charles Cetas: "Oh, okay."

Councilman Kent: "We usually-- we do that. We give her the authority to publish."

Charles Cetas: "Because we were thinking you're going to hold another hearing next month or something."

Councilman Kent: "We are. December 7th. But that's not by Resolution 1018."

Charles Cetas: "Oh, okay. What resolution is that?"

Councilman Kent: "1049."

Charles Cetas: "1049, I didn't get that far. All right. So that's coming up December-- "

Councilman Kent: "December 7th at 7:20, I believe is the time. I'm going from memory. I don't know-- "

Supervisor Villella: "He's good."

Charles Cetas: "Okay. Thank you."

Supervisor Villella: "How come it says 2:00 ?"

Councilman Kent: "Yeah, because that was a mistake. It's been amended. To 7-- I'll move to amend it when we get to that."

Supervisor Villella: "Okay, thank you. Okay, let's go into the resolutions. No, you snuck up on me. Go ahead."

Richard Amper: "I don't want to do that."

Councilman Kent: "Please state your name again for the record?"

Richard Amper: "Richard Amper. Long Island Pine Barrens Society. Your Town Clerk received a letter from the November-- on November 4th on the Suffolk County Department of Planning-- referring to the Suffolk County Planning Commission and certain covenants that they would have you in the Traditional Links and I just wanted to share with you briefly and not as part of the formal record under SEQRA but for your advice and-- "

Councilman Kent: "Dick, I'm sorry. I hate to interrupt you. But you're only allowed to speak at this portion of the meeting on resolutions that are being considered tonight. If you want to speak on Traditional Links, you have to wait until after we make the-- do the votes."

Richard Amper: "I'm sorry. I thought you'd done that already."

Supervisor Villella: "No. That will be open comment period, Dick. Okay, want to go into the resolutions, Barbara?"

Resolution #1017

Councilman Cardinale: "This resolution approves the application of Dressage at Sunny Acres, a horse show, for specified dates in the year 2000. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes;

Villella, yes. The resolution is adopted."

Resolution #1018

Councilman Kent: "This resolution ratifies the authority for the Town Clerk to publish and post a notice of public hearing for Riverhead Center LLC. The notice appeared in the October 28th issue of the News Review for tonight's hearing. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1019

Councilman Kwasna: "This approves the temporary sign permit of Riverhead Theater Corporation. So moved."

Councilman Lull: "I understand it was stolen by pirates. I'll second it."

Supervisor Villella: "Yeah, probably."

Councilman Kent: "I got it back though."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1020

Councilman Lull: "Authorizes the Town Clerk to publish and post public notice to consider the demolition of Town of Riverhead owned property at West Main Street in Riverhead. That's the comfort station in Grangibel Park. As an addition to the last-- to the resolve-- second resolve paragraph, I would also like to see a copy of this sent to the President of the Riverhead Lion's Club who built the structure to begin with."

Supervisor Villella: "We have a letter from them recommending

to take it down."

Councilman Lull: "Yes."

Councilman Kent: "Give them notice-- "

Supervisor Villella: "Notice, yes."

Councilman Lull: "Notice of that. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1021

Councilman Cardinale: "This is an authorization to publish a bid for a mini van for the town. So moved."

Councilman Lull: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1022

Councilman Kent: "This awards the bid for the year 2000 pickups as attached awarded to various dealerships. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1023

Councilman Lull: "Authorizes the Supervisor to release petty

cash monies to the Receiver of Taxes during the busy time-- during the collection of taxes. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1024

Councilman Kwasna: "This appoints temporary clerks to the tax receiver's office for their busy season. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Supervisor Villella: "It's in the budget."

Councilman Cardinale: "It's within the budget?"

Supervisor Villella: "Yes. They always have three."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1025

Councilman Kent: "I'll move to table 1025 since there's been no maintenance bond posted to date. So moved to table."

Councilman Kwasna: "I'll second."

Supervisor Villella: "Is there any discussion? What was that, Chris?"

Councilman Kent: "There's no-- I move to table because they haven't posted the maintenance bond on this yet."

Supervisor Villella: "Nothing. Okay. All right."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded to table."

The Vote: "Cardinale, yes, to table; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is tabled."

Resolution #1026

Councilman Kent: "This authorizes the submission of the 1999 New York State Justice Court Assistance Program grant application. It's for \$20,000 proposed for the installation of the walk through metal detector to enhance the courtroom security and an on line law library reference system and modum access to the Department of Motor Vehicles. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1027

Councilman Lull: "Is a recreation capital improvement budget adjustment. Money transferred from special trust to projects in Stotsky and Oakland Park. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1028

Councilman Kent: "I moved to amend this. After discussing it with Gary Pendzick, we had discussed this at a work session. It was Mr. Pendzick's feeling that there was enough monies in repair and maintenance reserve to pay for this rather than using serial bond proceeds. And there's an amended account from which the money will be taken. It will be repair and maintenance reserve and I have the

amended fund number on my resolution which I will provide to you-- unless you want me to put it into the record. It's 406.083200482220. And then the same last five numbers-- 30017. And that's maintenance-- repair and maintenance reserve. I spoke to both Gary Pendzick and Jack Hansen and there is money available to do this. So as amended I would move it."

Supervisor Villella: "Is there a second?"

Councilman Cardinale: "I would second that."

Supervisor Villella: "All right, second to the amendment."

The Vote: "Cardinale, yes, as to the resolution as amended; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1029

Councilman Kwasna: "This accepts the offer of sale of development rights, on Robert Krudop. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "How many acres is this?"

Councilman Kent: "This is about 34 acres. This was discussed at the Farmland Select Committee which recommended accepting the offer."

Councilman Cardinale: "Even at \$8,830 an acre?"

Councilman Kent: "It actually came in a little higher-- the appraisal was higher than that and this is a bargain sale."

Councilman Cardinale: "Okay, if you say so. Yes."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes."

Supervisor Villella: "And I hope the town continues on this development rights. There's a lot of farms and everything so I want to make sure I close in the right direction."

Councilman Lull: "Chris, you're the representative on the Select Committee?"

Councilman Kent: "Yes."

Councilman Lull: "Farm Select Committee. Can we have these at work sessions first? I have no problem with it. I like to see the final-- "

Councilman Kent: "Well, this resolution was actually at yesterday's meeting. I don't know-- we didn't discuss it."

Supervisor Villella: "No, we didn't discuss it. It's good to let the Board know-- "

Councilman Lull: "No, I mean at a regular work session."

Resolution #1030

Councilman Kent: "Yes, I'll move to table this resolution."

Councilman Lull: "I'll second that."

Councilman Kent: "And I'll make at this time also the formal motion to withdraw Resolution 1046 which is identical to this resolution."

Barbara Grattan: (Inaudible)

Councilman Kent: "Okay, but I want to withdraw-- well-- "

Supervisor Villella: "Yeah, we've got to withdraw the other one, too."

Councilman Kent: "Okay. We're going to substitute the Maple-- the other Maple, yeah, okay. So then we'll just-- I'll just move to table this 1030."

Supervisor Villella: "Table, all right. It's moved and seconded to table."

The Vote: "Cardinale, yes, to table; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is tabled."

Resolution #1031

Councilman Lull: "Accepts savings passbook from OC Riverhead
58. That's Applebees. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1032

Councilman Kent: "This authorizes the retention of the law firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski in connection with Supreme Court litigation (North Fork Environmental Council et al versus Town Board of the Town of Riverhead et al. This is I think Riverhead Center VI litigation."

Supervisor Villella: "Hey, Charlie, how many more times are you going to sue them?"

Councilman Kent: "Sue us."

Charles Cetas: "Well, I don't know."

Supervisor Villella: "All right."

Councilman Kent: "All right. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1033

Councilman Kwasna: "This promotes a maintenance mechanic III to

a grade IIB water treatment plant operator in the Water Department.
So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "This was recommended by the Personnel Committee?"

Councilman Kent: "Yeah, well it was-- we didn't have a formal meeting about it but I know Gary spoke to-- I know Gary also spoke-- "

Supervisor Villella: "He spoke with all of us, yeah."

Councilman Kent: "And let me just tell you-- let me just for discussion. This is an increase from a Group VIII-- 12-- step 12. It's a Group VIII step 10 and it conforms with the Town's current policy of limiting the amount of salary increase for employees that are promoted to the \$1,500 range."

Councilman Cardinale: "It's Group XIII though."

Councilman Kent: "He's going from Group VIII step 12-- "

Councilman Cardinale: "I see."

Councilman Kent: "To Group XIII step 10."

Councilman Cardinale: "I got you."

Councilman Kent: "So we backed him down in steps in order to stay within our policy of keeping the salary increases-- on these type-- this is actually a big promotion. He's becoming a certain grade of operator, from a maintenance mechanic and Mr. (Inaudible) has been working for the town for quite a while-- "

Supervisor Villella: "He's been doing in actually."

Councilman Kent: "And he's a good employee but we are staying within that \$1,500 range as far as the salary is."

Councilman Cardinale: "I vote yes."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1034

Councilman Cardinale: "This authorizes the Town Clerk to post and publish notice of public hearing to consider a proposed local law for an amendment to Chapter 58-- my favorite and yours-- Dogs, of the Riverhead Town Code. Thank you very much. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1035

Councilman Cardinale: "This authorizes the Town of Riverhead-- "

Councilman Kent: "Oh wait, excuse me. I'd just like to move to amend it so we don't have to offer it again. Just like in the final resolve clause, I'd like to add Andre Alexandrowitz (phonetic) who lives on Northville Tpke. in Riverhead as an individual who should receive a copy of this resolution."

Councilman Lull: "Yes, Andre has got to get it and so does Leroy."

Councilman Kent: "Except the-- wait a second. The last time we did this Andre was upset that we put his name on it."

Barbara Grattan: "Yes, he was."

Councilman Kent: "Because he wants to be incognito. So he can come in and get a copy then, right?"

Councilman Lull: "Put a copy-- send a copy to Leroy."

Supervisor Villella: "You're lucky there's no TV tonight. There's no TV, don't worry about it."

Councilman Kent: "Actually though they've already cleaned the house out. There's no-- "

Supervisor Villella: "Yes, we have to secure it."

Councilman Cardinale: "This resolution authorizes the Town to remove rubbish, debris and Andre from a structure at 346 Maple Avenue, owned by First Bank National Associates pursuant to Chapter 96. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

Barbara Grattan: "(inaudible)"

Councilman Kent: "But Leroy-- yes, I forgot he didn't want his name on this."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1036

Councilman Kwasna: "This approves the temporary sign permit of the Road House Restaurant. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

Councilman Kent: "Is this the same old sign we approved a long time ago?"

Supervisor Villella: "Yes."

Councilman Kent: "Just never did the resolution."

Supervisor Villella: "This is still a temporary. He had to redo it."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. Resolution is adopted."

Resolution #1037

Councilman Kent: "This approves the special permit petition of Dr. Judy Emanuele. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Kent: "Discussion on this."

Councilman Cardinale: "Yeah, what kind of a doctor is Judy Emanuele?"

Councilman Kent: "Yes, is there someone here for the applicant?"

Councilman Lull: "She was here before."

Supervisor Villella: "Rob. Rob is."

Councilman Kent: "I'll let you ask first. I have a technical question."

Councilman Cardinale: "Good."

Councilman Kent: "Something was raised at the public hearing that I want to clear up."

Rob Stromski: "My name is Rob Stromski. I'm here to represent Dr. Emanuele."

Councilman Cardinale: "Rob, right after you've made your presentation, hearing, some neighbor came in-- I forget her name-- she was asking to get-- Stephanie-- "

Councilman Kent: "Stephanie Sikora-Edmonds."

Councilman Cardinale: "Did you have a chance to speak with her directly?"

Rob Stromski: "I haven't spoken to her but I know of her

concerns to Rick Hanley."

Councilman Cardinale: "She raised some questions and I just wanted to get some answers on the record as to what kind of a doctor this is, etc., and how-- clarity as to the use of the property."

Rob Stromski: "Okay. It's for minor plastic surgery and hand surgery, reconstruction, that type of business. She is currently using just south on Roanoke Avenue. The reason I had stated before at the meeting-- the reason she is hoping to move to this facility is because she'd be able to offer services to handicapped patients which she cannot do currently at the location now because she is downstairs. So she can't have an accessible ramp to her office. It's not a use that is in the area. I don't know what concerns Ms. Edmonds has as to the type of-- "

Councilman Kent: "What she stated at the time-- unfortunately she just didn't have knowledge of what type of services were being provided. She was questioning whether it could be a psychologist or-- "

Rob Stromski: "No. It's-- like I said, minor plastic surgery and hand surgery."

Councilman Kent: "That was just her question; she didn't know."

Rob Stromski: "Okay."

Councilman Kent: "Also raised at that public hearing, there were some questions whether-- well, did we ever determine? I really believe this is a question for the Town Attorney-- if we ever determined that the public hearing on this application was ever properly posted and mailed and whether affidavits of posting and mailing were submitted prior to the public hearing."

Adam Grossman: "Yes. And I did have (inaudible) planning director and both he and I did review the file and neither he nor I saw a particular problem with the publishing and posting and the sending out of notices. However, I believe Mr. Hanley was going to get in touch with the applicant just to verify that the radius was the correct radius in terms of people who were notified. At the public hearing, there were a couple of individuals who came up to the podium who stated they had not been notified of the public hearing. So that was the reason the issue was raised. So I think probably what needs

to be done in order to clarify this issue (inaudible) not submitted to Mr. Hanley and I'm not aware, it may have been submitted between when I spoke about this and tonight but I'm not certain of that."

Rob Stromski: "Who is to submit-- "

Adam Grossman: "Yes, Mr. Hanley should have gotten in touch with you and if he didn't-- "

Councilman Cardinale: "You mean Rick didn't do something he was supposed to do. What a surprise."

Rob Stromski: "Okay, I don't-- I-- "

Councilman Kent: "Is he present? He came to work today."

Rob Stromski: "-- do have a copy of the Suffolk County Tax Map that I did post 500 foot radius from the property. If you want me to submit the copy here, I can do that. I don't know-- "

Councilman Kent: "Is he still here, Hanley? The only reason I raise it is because it was raised during the public hearing. A couple people said they didn't receive notice of it, they only heard by word of mouth. They didn't receive notice. They thought they were required to receive notice. They didn't provide proof either that they were (1) required to receive notice and (2) that they hadn't received it but it'd be easier if you provided the proof that you notified everyone that you were required to notify."

Adam Grossman: "Right. So I'm not sure why there was-- communication-- but in any case I want to make certain that there was proper notification before the Town Board takes any action on this."

Councilman Kent: "Why don't you submit what you have as far as who you notified and how you established who was to be notified and then we can-- "

Rob Stromski: "Okay. What I have is a copy of the-- photocopy tax maps that are in the office of the Assessor. I can give you those copies. I personally-- those are my only copies so if I could make a copy and then-- tomorrow?"

Councilman Kent: "Okay, that would be fine."

Supervisor Villella: "That will be fine, Rob."

Councilman Cardinale: "How are we going to vote on it tonight if he's got to do this tomorrow?"

Councilman Kent: "We can't."

Councilman Cardinale: "Is this time intense-- sensitive I should say?"

Councilman Kent: "Time sensitive."

Rob Stromski: "Actually, she's looking to get it, you know, done as fast as possible. She would like to move into the new location. I'm trying to map-- table it out. I'll give you the maps now if it will help."

Adam Grossman: "Well, the only suggestion I have is we're going to be having a special board meeting in any case on the budget-- "

Councilman Kent: "Tomorrow."

Barbara Grattan: "Oh, yeah, tomorrow."

Supervisor Villella: "Tomorrow we're having a special Board Meeting."

Adam Grossman: "So maybe if you can come into my office tomorrow morning-- "

Councilman Kent: "Or even tonight. We could make copies tonight or we could provide-- he could submit his-- "

Councilman Cardinale: "When you notify adjacent owners routinely-- I don't know this-- do you have to send certified mailings?"

Rob Stromski: "Yes, certified mailings."

Councilman Kent: "Don't you have the green cards?"

Councilman Cardinale: "And I assume you've submitted proof to the appropriate office, I suppose the Planning Board-- that you did that?"

Rob Stromski: "Correct."

Councilman Kent: "I asked about this the last time."

Councilman Cardinale: "So if you did it, what's the problem?"

Rob Stromski: "Well, I don't-- "

Adam Grossman: "Because the issue was raised at the public hearing, I just want to make certain that no one was excluded. There were a couple people-- "

Councilman Cardinale: "All right. So we'll do it again tomorrow."

Adam Grossman: "-- at least one person who should have been notified and he was not."

Supervisor Villella: "Adam, do you want to do me a favor? Why don't you and Rob-- Rob, get those copied, show Adam."

Rob Stromski: "I have it right here in my briefcase."

Councilman Kent: "Why don't you go out in the hall. We'll put this over tonight-- we may do it tonight or we may do it tomorrow. But we'll just pass on it right now."

Councilman Cardinale: "Okay."

Rob Stromski: "(inaudible) right now?"

Supervisor Villella: "Yeah, take a break."

Resolution #1038

Councilman Lull: "Amends Resolution #928. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "It's moved and seconded. Is there any discussion on this? I hear you (inaudible) over here."

Councilman Cardinale: "Just that maybe you ought cut an "m" in amends. That will be helpful because then it would spell the word

amends. Other than that, this is pretty routine."

Councilman Kent: "I think it was just left out of the resolution at the time we passed that resolution."

Supervisor Villella: "So they're giving him another one. Okay. It's moved and seconded. Let's go."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1039

Councilman Kwasna: "This authorizes the Town Clerk to publish and post notice of public hearing for a special permit for East End Commons Association which is K-Mart. They're looking to add on 11,537 square foot expansion to the existing building. The only question I have on it is I have it down the public hearing the 21st of December at 2:10 in the afternoon."

Councilman Kent: "Yeah, December 21st is an afternoon meeting."

Councilman Kwasna: "Afternoon meeting, okay. December 21st at 2:10 in the afternoon. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes, I vote yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1040

Councilman Lull: "Approves the site plan of Helen Gabrielsen for temporary greenhouses. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1041

Councilman Cardinale: "This is a Community Development Agency Calverton budget adjustment, \$1,000 from miscellaneous repairs to landscaping. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1042

Councilman Kwasna: "This is a general fund budget adjustment of \$985. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Kent: "It's actually a thousand."

Councilman Cardinale: "These are pennies but they're also going-- are they going from different accounts-- from accounts in one department to another department?"

Councilman Kent: "No. All in within the same departments, 714 to 7-- "

Councilman Cardinale: "Okay, yes."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1043

Councilman Kent: "This is a Business Improvement District budget adjustment, \$1,000. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1044

Councilman Lull: "Budget adjustment in the Joint Scavenger Waste District. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1045

Councilman Kent: "A \$6,500 budget adjustment for the Sewer District. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1046

Councilman Kent: "I'll do it. Budget adoption \$5,000. It's to effectuate the action required by Resolution 1035 of 1999, \$5,000 for contractual expense for the capital project at 346 Maple Avenue pursuant to Chapter 96 of the Town Code. So moved."

Councilman Lull: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1047

Councilman Kwasna: "This is the one-- everybody has been waiting for this one."

Councilman Cardinale: "Right. I'd like to offer an amendment before you pass it. At page 2, at the-- at #1 at the end of the sentence after the words thereon, and applicant shall address same to the satisfaction of the Building Department. And at page 2, after the word-- at #2 after the word roads, the words or neighboring properties. I think with those amendments it will conform to the discussion we had at the work session with Mr. Andrews."

Supervisor Villella: "Okay, those are the amendments."

Councilman Kwasna: "Okay, 1047 with those changes approves the special permit petition of Robert Andrews. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes."

Councilman Cardinale: "Since this is the closest to a (inaudible) issue I've seen tonight, I can't resist the comment. This is a permission to-- "

Supervisor Villella: "Well, we'll take one off the floor. We'll get you one, don't worry."

Councilman Cardinale: "Right. One of these days we'll get (inaudible) issue; I think we're close. This is an applicant that seeks permission to expand a pre-existing non-conforming use for temporary greenhouses. That's of interest because it's not permitted in the zone and this is more interestingly the last in a series of such applications to permit a pre-existing-- to permit an unpermitted use in a-- because the structures presently existed pre-existed zoning or had previous approval by special permit.

If we keep doing this, of course, we destroy the whole structure of our zoning code. So I think these have to be looked at very carefully. Generally I think this is the wrong way to address the problem. The problem should better be addressed by an amendment to the zoning code permitting this use in an area where it should be permitted.

However, in this instance I also look at the unique circumstances. This is a farm which existed before zoning. I also look at the situation that this use proposed temporary greenhouses is not a use that's particularly intense or particularly offensive to the neighborhood. I also look at the fact that the local community generally supports the use and the user as doing-- as running a good show-- and a good shop as it were. And there has been no opposition within the community other than a concern in regard to drainage which is addressed.

And most importantly, I see that there are significant limitations which I just alluded to in my amendment and conditions in regard to the one area of drainage which are part of this permission we're giving. So I can vote yes on it for those reasons."

The Vote (Cont'd.): "Kent."

Councilman Kent: "I'll vote yes."

The Vote (Cont'd.): "Kwasna, yes; Lull, yes; Villella, yes.
The resolution is adopted."

Supervisor Villella: "Thanks for doing your homework."

Councilman Cardinale: "Yeah, thank you."

Resolution #1048

Councilman Lull: "I've got the next substantive one. It approves a temporary sign permit for an auto agency-- I mean a insurance agency. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1049

Councilman Kent: "Okay, 1049 I'd just like to move to amend the attached notice of public hearing to read the 7th day of December at 7:20 p.m. With that amendment, I move the resolution authorizing the

Town Clerk to publish and post notice of public hearing for the change of zone and special permit petitions of Riverhead Center LLC."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded with the amendments."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1050

Councilman Cardinale: "This resolution is an authorization to publish a bid for a generator. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1051

Councilman Kwasna: "This is memorializing resolution requesting the federal government to permit the Suffolk County Department of Health to have access to and participate in monitoring health related activity at the Plum Island Disease Center."

Supervisor Villella: "That's a mouthful."

Councilman Kwasna: "Yeah. So moved."

Supervisor Villella: "They went on a trip today."

Councilman Cardinale: "Did they?"

Supervisor Villella: "Yeah."

Councilman Kwasna: "The Health Department did?"

Supervisor Villella: "No, newspaper, media, supervisors, councilmen."

Councilman Kwasna: "Basically what we're trying to do is we're asking the government to let the Suffolk County Health Department inspect Plum Island because it does affect us here on eastern Long Island, the experiments that they are conducting on the Island. We want to know what's passing back and forth through our community here on its way to and from their facility."

Supervisor Villella: "They're going from a level 3 to a level 4 which is more serious diseases."

Councilman Cardinale: "And I think our theory is if they have to go through the Suffolk County Health Department their approval will never be forthcoming and, therefore, they will never be able to do anything over there."

Supervisor Villella: "So on that it was moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1052

Councilman Lull: "1052 is a resolution authorizing the issuance of an additional \$100,000 in serial bonds of the Town of Riverhead, Suffolk County, New York to pay for an additional cost of purchase of an ambulance for the said town. We passed a resolution back in August, I guess, for-- yeah, to authorize \$120,000 in serial bonds for purchasing an ambulance. However, we-- our present ambulance fleet which includes four ambulances, three in ready usage and one for backup, includes two ambulances which are 15 and 16 years old and one which is more than 10 years old and has recently burned out. So it is the burned out one that we have to replace.

But after much discussion with the ambulance corps and ourselves the decision was to purchase a second ambulance, to purchase two at the same time, and those two ambulances will now give our fleet a two year 2000 ambulances, a 1996 ambulance which is in great shape, and then one of the older ambulances to use for a backup. And it does assure for much more-- much better ability to respond quickly. We will not have our ambulance-- so many of our ambulances in the shop at once. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1053

Councilman Kwasna: "This is a resolution authorizing the issuance of-- "

Councilman Kent: "I thought 1053 was to pay bills."

Supervisor Villella: "No, Wilke Farr-- "

Councilman Kwasna: "Of \$34,000 in serial bonds in the Town of Riverhead to pay the cost of land acquisition of a parcel of land located at 79 Lewis Street in Riverhead. This includes the buildings located thereon and the demolition of such buildings in our Urban Renewal Plan. So moved."

Councilman Lull: "Seconded."

Supervisor Villella: "Moved and seconded."

Barbara Grattan: "1053 is bills. Chris is right. I crossed signals."

Councilman Kwasna: "1054 is moved and seconded."

Supervisor Villella: "Move to pay bills."

Councilman Lull: "I will."

Supervisor Villella: "Is there a second?"

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. Resolution is passed to pay bills."

Barbara Grattan: "Now 1054, Councilman Kwasna, would you state that one again?"

Councilman Kwasna: "What I just said. 1054. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Supervisor Villella: "Okay, now we've got to go back to Rob-- is Rob still here?"

Councilman Kent: "I move we table 1037 to tomorrow."

Supervisor Villella: "Where's Rob?"

Councilman Cardinale: "We're doing a resolution of it?"

Adam Grossman: "Okay. What I did, was I received from Mr. Stromski a bunch of letters that were returned, okay, notices that were returned and he did give me copies of the maps. I'd like to tomorrow morning match the maps up with all the notices that were given to make certain that everyone was notified that should have been. And I told him that if there was any problem I will contact him."

Adam Grossman: "He must have been satisfied because he left. So we'll move to table this until tomorrow."

Supervisor Villella: "1037?"

Councilman Kent: "Consider it tomorrow."

Councilman Kwasna: "Second."

Barbara Grattan: "Table Cardinale?"

Councilman Cardinale: "Yes."

Supervisor Villella: "Moved and seconded to table."

The Vote: "Cardinale, yes, to table; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is tabled."

Supervisor Villella: "Okay, now we go into public comment."

Richard Amper: "Richard Amper, Long Island Pine Barrens Society. We got recommendations from the County Planning Department Commission which were no more gratifying to the environmental community than the applicant. They went to the county legislature and said it was most environmentally parcel to be acquired, rated it number 1, and came to you and said it was okay to grant a zoning-- a change of zone. I mean I don't blame you folks if you have a little bit of a problem with this.

When I talked to you in the past, you said I guess everybody doesn't get their own way on these things. I'd like to see if there's some way to do a golf course on that property other than to build a lot of houses on it. I'd like to be able to save the eco-system, too. I would love to work out something between now and when you come to make your final decisions as to how we can manage to do both.

But in the meantime, if you're looking to find out how we can simultaneously build a golf course and preserve the most important part of the eco-system, in looking over the County's recommendations to you, I'd just like to make three notes and, Adam, if you will indulge me, I know you record all of this but maybe something can be very swiftly done. The first recommendation the Planning Department made that was a little crazy that said you should have a residential yield not to exceed 197 with an (inaudible) yield. I think your Planning Department recommended 50 to 75. I think that's (inaudible) consistent with the plan; I don't think requires any majority plus one. I think you ought to be a little bit more protective not a little bit less protective.

2 and 3 talks about the bluff line. Somebody determined the bluff line. I think it should be the DEC or somebody because they correctly say that it should be the watershed divide line. That would at least keep people from the area that was most sensitive to the parcel (inaudible) proposed golf course off the watershed divide line. Okay, we're not preserving it the way we'd like to preserve it but we're doing minimal damage. I think that would be useful.

The Planning Department asked that you limit pedestrian access. I think you could go a step further and not violate any of their spirit by also specifying that you want to avoid dune buggies and golf carts and ATV's and trail bikes. Again, it doesn't do what we would like it to do but we're sort of down to the wire and we're trying to

figure out how to make the best of a bad situation.

And then the final one refers to use of the-- standards of the Suffolk County Legislature in the operation and maintenance of this golf course. Again, I reiterate we all prefer a golf course to a whole bunch of houses. If we could establish from them, if they could refine that and clarify that for you-- I don't think it's your fault. I think it's something that they should be doing for you."

Councilman Kent: "I think they were referring to integrated pest management which is a policy-- "

Richard Amper: "I think they are but are they using the standards that are applied on County golf courses or just the recommendations? I think that if they're using the standards on County golf courses, I think they'd do you a service-- I think they'd do drinking water protection a service. I don't think it's an omission of yours. I think it's a clarification that would be useful for you to get between now and then.

If there's anything that I can do from the Pine Barrens Society, if there's any way that we can help even in the last few days before you have to reach a very, very important decision. I don't think that the environmental issues dictate exactly what government does every time we come out. But I don't think the developer should say you have to do it my way exactly and if you don't, you're wrong. I think that we ought to try to find a way to build a golf course that works, that's a world class facility that doesn't result in residential development and I think you should preserve what I think is one of the most fabulous treasures here and it's right here in the Town of Riverhead. I hope you can do it and if there's any way we can help you, we'd love to. Thank you very much."

Supervisor Villella: "Thanks a lot, Dick. Anyone else like to speak, public comment? Bill?"

Councilman Kwasna: "Were there any cards?"

Supervisor Villella: "No."

William Kasperovich: "(inaudible) most beautiful treasure topography we had in Wading River and you made it into a golf course and I say that's a bunch of nonsense where adult children go out with sticks and beat on a little white ball. (Inaudible) come in here, he

said I don't think you gentlemen are aware that storm water drainage should not be left in the hands of a Building Inspector after all the paperwork is done and he goes out there in the field to see whether the drainage is accommodated. Down the street from me within sight, it was accommodated but as soon as he got his building permit he forgot all about the accommodations. The inspector is not the man to do this. That sentence at the bottom of the page is not appropriate."

Supervisor Villella: "It should be done at the site plan?"

William Kasperovich: "It should be done when the plans are reviewed, when they're looking to see whether the absolutely musts and the requirements are met."

Supervisor Villella: "It will save a lot of problems."

William Kasperovich: "Whether you (inaudible) a structure or blacktop or concrete it doesn't (inaudible) to water, it's going to run off. And that runoff has to be accommodated. Now, this accommodation should be shown on the documents that are submitted when an application is made for a building permit."

Supervisor Villella: "Yeah, but, he's right."

Councilman Cardinale: "I know."

William Kasperovich: "Not the inspector can only go out and inspect what has been approved by the department office."

Councilman Cardinale: "You know, we agree with you on this. I think that Vinny instructed-- "

William Kasperovich: "Well, I thought that it was addressed at the sentence at the bottom of the page which was a page for instructions to inspectors."

Supervisor Villella: "Yes, it was."

Councilman Cardinale: "Well, what I thought you-- in my presence, you directed Leroy to do what he was suggesting be done, which is that the plans reflect it."

Supervisor Villella: "The plans at the beginning should be done then instead of after the fact. You're absolutely right. And how did

someone get a CO if they didn't take care of the water problem? That happened down the street from you, you said? See, that's not right. That's not right. Because we have problems throughout this whole town on these water problems and they shouldn't get a CO."

William Kasperovich: "Your temporary greenhouses. The water's not going to go through the greenhouse into the ground. No matter what the soil is. We need the-- "

Supervisor Villella: "Leroy, you want to get in here?"

William Kasperovich: "It run offs in some direction and the impervious material that diverts the water, that area will put so much water after so much rain and the owner of the property has to accommodate it."

Supervisor Villella: "Okay, true. I just wanted to mention something to Leroy, he's behind you now, Bill. Leroy, I know on the bottom of the building-- you know, you have to take care of the water-- that last sentence. Okay. We have to move that process up like we talked about at the beginning of the site plan when it comes in. We want to take care of the problem at the beginning not at the end. How can your office do that?"

Leroy Barnes: "Well, it's specifically written in the town code."

Supervisor Villella: "Right."

Councilman Cardinale: "Yeah, we're aware of that."

Leroy Barnes: "If you feel uncomfortable the way the statute is written-- "

Supervisor Villella: "No, no, no."

William Cardinale: "No, we're talking about implementation of the statute."

Supervisor Villella: "We want it done."

Leroy Barnes: "(inaudible) part of the code. It's the people, it's the property owner's obligation to maintain water runoff onto other people's property."

Councilman Cardinale: "But his point is unless the building plans reflect what they're doing to accommodate that direction, there is nothing for your inspector to inspect. He doesn't know what to inspect."

Leroy Barnes: "Well, in certain situations we don't want it to become so cost prohibitive to do business in the Town of Riverhead obviously."

Councilman Cardinale: "Yeah, but-- "

Supervisor Villella: "Yeah, but it's going to cost the town thousands and thousands of dollars to do drainage like we're doing."

Leroy Barnes: "We wrote that code that way so that if it's necessary we can enforce it and then require if necessary engineers to come in and evaluate. But we cannot have an engineer evaluate every situation. When they're building a plastic greenhouse, we have an engineer involved and have-- "

Councilman Cardinale: "Well, we have an engineer in our-- "

Leroy Barnes: "-- and pay \$3,000."

Councilman Cardinale: "We have an engineer in our department, downstairs, two of them."

Leroy Barnes: "Yes, and I intend him to use him on that particular project because the permit has been conditioned that way."

Councilman Cardinale: "Yeah, but we're not necessarily worrying about that part. He's saying generically that he's got a very simple and probably valid point. He says, look, you have this statute that says drainage must be accommodated on site."

Leroy Barnes: "Right."

Councilman Cardinale: "You-- we know it's in the statute book and probably ignored like a lot of the other statutes and ordinances. He's suggesting, and it's a good idea I think because we have such drainage problems and so much money in drainage bonds, that when a guy comes in, no matter if it's a doghouse-- I don't care what it is-- that you ask how that question and that it be reflected on the plan, how the drainage is going to stay on site. And then when your

inspector goes out to do the final inspection, he will then look at that and say he was asked to accommodate the drainage in this fashion, did he do it? Because what's now happening, I believe, and so does Bill, that the inspector really isn't addressing the drainage issues because they're not in black and white. And he's got enough to do that is in black and white. That's it. That's what he's saying.

So can you do that when somebody comes in? Can you or somebody on your staff say we're going to address the drainage issues on these plans. This is what I want you to do."

Leroy Barnes: "Well, the way the code is written currently it makes it the responsibility of the property owner not the building inspector."

Councilman Cardinale: "Well, yeah, but that's not accurate because the code says the property owner has to maintain it on his property and the building department shouldn't issue a CO unless he has. So how do you know if he has or hasn't if you haven't told him what to do?"

Leroy Barnes: "Well, then that would always continuously-- we've obviously debated this among the inspectors, are we going to require engineer reports on single family residences? If that's the desire of the Town Board, then adopt-- "

Councilman Cardinale: "At least run it by our engineers."

Leroy Barnes: "Normally when we think we're facing a drainage issue, we will run it by our engineer."

Councilman Cardinale: "Okay, then there is a judgment. Then what you're really saying if you don't put it on the plans, you're telling them you don't have to do anything about the drainage."

Leroy Barnes: "No. I make them aware of that in their application."

Councilman Cardinale: "Well, you are. Yeah, but if you don't have it on the requirement of the plans, the guy isn't going to do anything special on drainage."

Leroy Barnes: "You're talking about the survey?"

Councilman Cardinale: "Yes. I'm talking about either the building plan, the site plan, whatever-- "

Leroy Barnes: "-- and a drainage calculations."

Councilman Cardinale: "Yes."

Supervisor Villella: "Nip it in the bud at the beginning before it becomes a problem."

Leroy Barnes: "But isn't that something (inaudible) and you know what the percolation of the property is. You know-- the problem is sometimes we can't tell and this does happen. When a builder does final grades, he may put a clay type material in to backfill."

Supervisor Villella: "That's no good."

Leroy Barnes: "And then put the topsoil. But we cannot monitor that."

Councilman Cardinale: "How come?"

Leroy Barnes: "Because we're limited on staff and how many inspections we make on it. We already perform four or five inspections on houses as it is."

Councilman Cardinale: "So this guy-- they can do that and the drainage will be inadequate."

Leroy Barnes: "You cannot possibly watch everything. Okay."

Councilman Cardinale: "Well, drainage is pretty important. We spend a lot of money correcting it."

Leroy Barnes: "Absolutely. It's very important and if we think it's going to create a problem, then we will get engineers involved. And we usually do. Ken will tell you. On many occasions, we've had the town engineer on residential property and we would not issue the CO. It just happened two weeks ago we were dealing with an issue and finally in certain cases I require an engineer's report."

Councilman Cardinale: "So you review it at the outset."

Leroy Barnes: "I review it if I think-- "

Councilman Cardinale: "If you think there's a problem-- "

Leroy Barnes: "-- I think, then we are going to get an engineer involved."

Councilman Cardinale: "Okay. But if you make the wrong call at the outset, the drainage issue is closed?"

Leroy Barnes: "Right. But after I issue the certificate of occupancy, it's not closed because there is still a provision in the statute that I can enforce (inaudible)."

Councilman Cardinale: "Even if you've given them a CO?"

Supervisor Villella: "But once you have someone in the house and there's a lawn there-- "

Leroy Barnes: "It's not conditioned upon that. It says that the obligation of the property owner is to maintain their (inaudible). If they're not doing that, then we will issue a summons through the code enforcement division."

Councilman Cardinale: "So, if I've got drainage coming out into the road from other properties, I'm going to send them down to you, the complaining person."

Leroy Barnes: "It depends because the way they wrote the code it says (inaudible) residential lot-- "

Supervisor Villella: "It costs more for the guy to fix it after the house and everything is in-- if he does it before the process."

Councilman Cardinale: "Practically speaking as Vinny pointed out, if you don't catch it at the building stage, it's going to cost a fortune to-- "

Leroy Barnes: "I understand that. I'm well aware of that."

Supervisor Villella: "We're trying to save-- make it fair for everybody."

Councilman Cardinale: "Why don't we charge more for building permits and do it right?"

Leroy Barnes: "I don't think we want to pass that cost onto the public when they're already burdened."

Councilman Cardinale: "They're already burdened because we're paying for this drainage problem that's killing us. We've got (inaudible)."

Leroy Barnes: "Well, it's been a very unusual year when it comes to drainage. Drainage in most cases has not been the problem we've had the last year or so."

Councilman Cardinale: "You know, you think about it. The thing I've heard most about sitting up here for two years is dogs and drainage. Those are the two most often expressed."

Leroy Barnes: "You have to cut the point somewhere where the government has to regulate everything. We have our fingers in everything as it is. We do the best we can. When we inspect a site, Phil, we have special people that work in our office. You know that they're professionals. They can detect whether or not there will be a drainage problem."

Councilman Cardinale: "Don't get me started."

Supervisor Villella: "No. Don't go there."

Councilman Cardinale: "Don't get me started."

Leroy Barnes: "You can say what you want about the people that work in my office. But they're qualified. And we have town engineers that do the job. And if we need them, we'll bring them in."

Councilman Cardinale: "Okay, please do. That's the point. And do you sign off on every plan that comes in that the drainage issues have been addressed?"

Leroy Barnes: "The building inspectors sign off on each building permit as they are reviewed by them."

Councilman Cardinale: "So if there's no indication of any drainage conditions, then there's never going to be a drainage condition in that building plan-- building permit?"

Leroy Barnes: "In the survey."

Councilman Cardinale: "Yeah."

Leroy Barnes: "It wouldn't be on the house plan."

Councilman Cardinale: "Well, it would be on the survey-- wherever you are going to put it-- survey."

Leroy Barnes: "I mean we certainly want to make sure that the grade is done properly so there is no water runoff. In fact, we are now requiring gutters and leaders which hasn't been done in the past."

Councilman Cardinale: "Good. All right, so you're saying to me that it is reviewed at this early stage."

Leroy Barnes: "Absolutely is reviewed. And is there going to be drainage problems in places? Absolutely, there will be. But in most cases, they're not."

Councilman Cardinale: "But you've got to pick them up then because if you don't pick them up then-- "

Leroy Barnes: "Well, you know, what happens if a 90 day period we have no rain? I'm going to hold the guy's CO up for that?"

Councilman Cardinale: "No, no. You've got to fix it at the point when he comes in and shows you the plan and you issue the permit."

Leroy Barnes: "He shows me what on the plan?"

Supervisor Villella: "A lot of it's commonsense. If you're building up high and the house is low, so-- right."

Leroy Barnes: "It's absolutely commonsense. And the people that work in my department have commonsense."

Supervisor Villella: "Right. That's what I'm saying. So that's what I'm saying. They have to take care of the problem ahead of time instead of waiting for them down the road."

Leroy Barnes: "I can't wait until it rains."

Supervisor Villella: "No, it's not that."

Councilman Cardinale: "How did the guy in the hole get approved if your department-- "

Leroy Barnes: "What guy in what hole?"

Councilman Cardinale: "The guy that we had to buy the house for 90 grand because he built his house in a hole."

Leroy Barnes: "I didn't approve-- in fact, the building department recommended he didn't build on that but people still have constitutional rights to build homes. Whether there's drainage problems or not, he had a right."

Councilman Cardinale: "So that guy you picked up. You knew that that was going to be a problem."

Leroy Barnes: "I wasn't the building inspector when we issued that."

Councilman Cardinale: "Not you. I mean your department."

Leroy Barnes: "Okay."

Councilman Cardinale: "I'm talking generically not specifically."

Leroy Barnes: "Okay."

Councilman Cardinale: "I'm trying to find out if we can limit the drainage problems and I think his idea is a good one. More attention when you issue the permit has got to help-- "

Supervisor Villella: "At the beginning."

Leroy Barnes: "Who says we're not paying attention?"

Councilman Cardinale: "Well, he's concerned because he's got all sorts of drainage problems and all sorts of expenses."

Leroy Barnes: "Who does?"

Councilman Cardinale: "Vinny."

Supervisor Villella: "Me. I get calls every-- "

Leroy Barnes: "I do, too. I get them every day, especially after it rains."

Supervisor Villella: "And it's on every single new house that's built-- "

Leroy Barnes: "Where?"

Supervisor Villella: "Anywhere around here. Especially Wading River where it's hilly. If they're building up top-- "

Leroy Barnes: "That obviously happens."

Supervisor Villella: "Right. If they're building up here and there's a house here and a house here, you know the water is going to run off."

Leroy Barnes: "That's why when we do subdivisions and we have a planning department that hires professional engineers and we have bonding, those engineers certify the drainage on that and that's why we will bond money. If those aren't corrected-- "

Supervisor Villella: "They pay for it."

Leroy Barnes: "But those things are in place. Those issues are in place for that. That's what the bond money is for."

Supervisor Villella: "On the big ones. I'm talking about individual houses."

Councilman Cardinale: "How about like the-- "

Leroy Barnes: "But that's what the subdivision was approved for and the engineers signed off. We have town engineers that we pay through the planning department to certify that that drainage is corrected."

Councilman Cardinale: "If possible unless-- "

Leroy Barnes: "So we have to do it again?"

Councilman Cardinale: "If it's possible, I'm less impressed by the planning department and the subdivisions than I am by the building department. Look at the O'Dells. That was a planned subdivision."

The plan was to drown the two old people."

Supervisor Villella: "We just got sued."

Councilman Cardinale: "The two people that just sued the town-- "

Leroy Barnes: "Where is that?"

Supervisor Villella: "At Riley Avenue."

Councilman Kent: "It's off of Triangle."

Leroy Barnes: "Okay, I think I know what you're talking about now."

Councilman Cardinale: "That was a planned subdivision and the plan was to drown these people before they repaved it."

Leroy Barnes: "You know, this water runoff, I don't know who approved that but there was an engineer who signed off on that. Maybe you should look at those engineers and question them."

Councilman Cardinale: "Yeah. I'm not saying-- "

Leroy Barnes: "That we have engineers on that and they still have drainage, so what do you expect me to do?"

Councilman Cardinale: "Well, I would like you to run it by two engineers."

Leroy Barnes: "I do the best I can-- and my staff."

Supervisor Villella: "We know that, Leroy. I'm just saying if there's a way to nip it in the bud, earlier, it saves a lot of money for the developer later."

Leroy Barnes: "We talk about it almost once or twice a week about how we have to deal with drainage issues. We know it's a problem."

Supervisor Villella: "Why don't you hire Bill? He'll take care of it for you."

Leroy Barnes: "We do everything we can."

Councilman Cardinale: "Bill, you're going to have to tell Mr. Koz in six weeks. So get ready. And maybe-- I'll suggest that he hire you to review the engineering issues and to keep Leroy interested in his office."

William Kasperovich: "Mr. Leroy Barnes is defending his department. You would expect a man that's in charge of a department to defend his department."

Supervisor Villella: "True."

William Kasperovich: "But he is absolutely pulling the wool over your eyes. Now, in our township-- "

Councilman Cardinale: "It wouldn't be the first time."

William Kasperovich: "-- and in a large part of Suffolk County, the consulting offices use a standard number for how much rain to accommodate. It's an average per acre. That's what they use. One figure. If they have a very exceptional case, they modify it. But there is no engineering project (inaudible) to accommodate drainage on Long Island. Now,-- "

Supervisor Villella: "We're worried about Riverhead now."

William Kasperovich: "-- you-- a man comes in for a building permit, he brings in papers show me what you're going to do with the drainage, with the stormwater. That's the only question you have. If he doesn't show you, his drawing is not adequate."

Councilman Kent: "He makes it sound so simple."

William Kasperovich: "Come on. I've been in this man's department where a person supposedly qualified says to me well, we don't look into the town code. We just go by state codes. Quote, unquote. Now, all you've got to do is tell the man, show me what you are going to do with the stormwater. Well, if the man says what do you expect me to do, well, here's our town code. You're coming in to us to get a building permit; show us what you're going to do. Same as you do for concrete; same as you do for doors, windows, openings, fireproofing, what have you."

Councilman Cardinale: "We can assure you that-- "

William Kasperovich: "Now, when you get a permit-- a man comes in with a document that says on the side in large print we will conform with all state rules and requirements but when you look to see what he did, it's only half there. And they approve it."

Councilman Cardinale: "Bill, I want you to save your strength because we assure you the policy you've enunciated will be followed for the next six weeks. After that, you're going to have to do it all over again so save your strength. Really. I agree with you. The three of us all agree with you. But we can only tell him to do it for six weeks. Do it for six weeks. Okay. And then when Koz comes in he can tell you whatever he wants."

William Kasperovich: "Every place I've been in that I go in for a building permit they ask me tell me what you've done with the stormwater. Exchange of words is ineffective."

Councilman Cardinale: "Show me on the plans."

William Kasperovich: "A contractor is going-- same as your attorney is here-- in talking their way out of things."

Supervisor Villella: "No, we have that, don't worry."

Councilman Cardinale: "And the award goes to Rolph-- Sal-- did you see this, Mr. O'Day and Ann. They made it through this entire meeting and it's five after 11. We are now seven people, one, two, three, four, five, six-- "

Supervisor Villella: "No, no, here's another latecomer."

Councilman Cardinale: "Eight-- Lou Passantino. You're right, Bill."

Supervisor Villella: "Bill, but don't knock the building department. It's just that they were never told to do it a certain way or anything like that. So they're doing a great job of what they're doing. We're just doing it a little differently for-- "

Councilman Cardinale: "Don't knock the building department? Come on."

William Kasperovich: "I cannot criticize anybody."

Councilman Cardinale: "Sure you can. You just did."

Councilman Kent: "All right, yeah, let's move on."

Supervisor Villella: "No, no, no, no, no, no. All right. Let's not take it-- take it easy."

William Kasperovich: "Building departments come out of my ear in the eastern half of the United States. I'm not a greenhorn that came out of the assessor's office to take over a building department."

Supervisor Villella: "Okay, Bill, we don't want to go into that."

William Kasperovich: "You hired plan examiners that don't do plan examining. You hired inspectors that don't know what to inspect because there's nothing on paper for them to say what to look for. You can't expect an inspector to go out there and know the state law and the town codes. That's not an inspector's position."

Supervisor Villella: "Well, we've got-- we're doing the budget tomorrow. Could we hire a part timer to take care of this, what he's saying? Can I recommend him?"

Councilman Cardinale: "Sure why not."

Councilman Kent: "Whoever you recommend, we'll consider."

Supervisor Villella: "Okay. We'll talk about it tomorrow."

Councilman Kent: "That's about as definitive I'm going to be."

Supervisor Villella: "Who else wants to speak tonight? Rolph. You can't top that one, I know. Ursula already told me you can't."

Rolph Kestling: "I got the exact problem what Bill was talking about with the building-- "

Supervisor Villella: "Right next door to you. I know."

Rolph Kestling: "Now, the building department called me up and said Mr. Barnes was putting a notation in the record of the building,

no CO until drainage problem was being taken care of. Well, first thing I questioned is how long is that notation going to be sitting in that thing or is it going to disappear and nobody will know any different. I will make one recommendation. When an inspector goes down there, whoever he is, let him go to the next door neighbor and he'll tell him what the problem is. He doesn't have to guess anything."

Councilman Kent: "I don't know if that's right, but-- what do you think of your neighbor?"

Rolph Kestling: "Let the building inspector come, see me, and I'll show him because they got one place, it looks like a big (inaudible) and they say oh, that's a berm. It's not a berm. (Inaudible) that's growing that high and the water goes through it. But the building inspector (inaudible). No berm. Okay."

Councilman Cardinale: "Thanks for sharing, all of you. Sal."

Supervisor Villella: "We've been here since 2:00 today, Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. Let's close it on a positive note. I just want to thank the Town Board and the engineering department for the great job they did on 19th Street fixing the water problem. They really did a nice job."

Councilman Cardinale: "Thanks, Sal."

Supervisor Villella: "Ken did a great job with that."

Councilman Kent: "Adjourned."

Meeting adjourned: 11:10 p.m.

Barbara Stanton
Town Clerk